OLD-WORLD SCOTLAND GLIMPSES OF ITS MODES & MANNERS

T. F. HENDERSON

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OLD-WORLD SCOTLAND

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OLD-WORLD SCOTLAND

Glimpses of its Modes and Manners

BY

T. F. HENDERSON

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NOTE

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The paper on "Kirk Discipline" has been widened in scope; to others additions have been made; and that on "New Light on the Darnley Murder" is printed for the first time.

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OLD-WORLD SCOTLAND.

I.

ON WINE AND ALE.

De Quincey, who has some claims as an authority on intoxicants, has opined that our northern climates have universally the taste latent, if not developed, for powerful liquors. He may be right; but, as a matter of fact, the taste has developed very slowly. In early times it prevailed chiefly in climates where the grape was grown, or in latitudes where bang and similar brews fired the savage breast. Moreover, once a race has made choice of its liquor, it clings thereto with a more than superstitious tenacity, and may be induced to change even its

religion with less reluctance and a lighter sense of misgiving. It seems ultimately to be less a matter of appetite or gustation than of sentiment. By its connection with the rites of hospitality and the main episodes of social life the liquor of a people becomes in some sort the symbol of its patriotism and its nobler human feelings. Doubtless the increase of travel, the intermixture of races, and the intercommunion between nations may tend partly to obliterate such predilections; but now, as of old, it will generally be found that, at least in the case of intoxicants, the adoption, even partially, by one nation of another's liquor is to some extent an evidence of reciprocal respect and goodwill. It was not till after the accession of Dutch William to the throne of England that Englishmen began to develop that affection for gin which in the beginning of the eighteenth century led to such extraordinary excesses. The English vogue for Scottish whisky also has been at least coincident with a

better appreciation of the Scot. Possibly some of the more ardent of the Southron votaries of the liquor have a lurking suspicion that it has a not very remote connection with the Scot's persistency and "cannieness"; that while "the haillsome parritch" is perhaps in some degree responsible for his stamina, whisky even more than Calvinism has been his main discipline and inspiration. Historically, however, whisky is not more the national liquor of Scotland than the kilt is the national dress, or Gaelic the national language. The only difference is that, while the dress and language of the Highland Celt seem alike destined to disappear at no distant date, whisky has not only survived the conquest of the Highlands, but has extended its empire to the Lowlands as well.

Originally the national liquor of Lowland Scotland, as of "Merrie England," was ale, the universal liquor of the Saxons. There is abundant evidence that ale was the

universal beverage in the Lowlands as early as the thirteenth century, and the presumption is that its use in Caledonia was coeval with the arrival of our Saxon forefathers. True, among the nobles wine was very much in use from the thirteenth century onwards, and for several centuries it was drunk among the upper classes more generally in Scotland than in England. The Scottish vogue for wine was greatly owing to the friendly relations between Scotland and France. The staple was claret, though Malvoisie, Canary, Madeira, and other wines were imported at an early period. Still, claret never became the Scots national liquor, and although occasionally sold by Edinburgh vintners at a very early period it could not be had in good country inns till the eighteenth century. In "The Friars of Berwick," which may be assigned to the end of the fifteenth or beginning of the sixteenth century, the "silly friars," Robert and Allan, are regaled "in the wonder good hostelrie" without the

town on "stoups of ale with bread and cheese"; and there was evidently nothing better on tap, for among the materials brought by the amorous Friar John for his surreptitious feast with the landlady, while the other friars were supposed to be asleep in the loft, were—

> "Ane pair of bossis * good and fine
> They hold ane gallon-full of Gascon wine."

That ale was at this period considered good enough even for the richest merchants may also be inferred from the "Priests of Peebles." The successful trafficker therein described had waxed

> "Sae full of worldis wealth and win
> His hand he wash in ane silver basin";

but in regard to his table provisions it is deemed sufficient to state that his wife "had no doubt of dearth of *ale* nor bread."

In the regulations issued by the Scottish

* Earthen bottles.

Privy Council on August 27, 1602—about a century later—for the meals of the masters and bursars of the University of Glasgow ale is the only liquor recognised: "The first meis, consisting of the Fyve Maisteris, sall have to thair disjoyne * ane quhyte breid of ane pund wecht in a sowpe, with the remains of a peice beif or mutton resting of the former day, *with thair pynt of aill amangis thame.* To thair denner they sal have ordinarlie quhyt breid aneuch, *with fyve* choppnis of sufficient guid and better nor the common sell aill in the town, with ane dische of bruise, and ane uther of skink † or kaill, a piece of soddon muttoun, another of beif, salt or fresche, according to the season, ane roist of beif, salt or fresche, according to the season, ane roist of veill or muttoun with a foull or cunyng,‡ or a pair of dowis § or chikkins, or uther siclyk secund rost as the seasoun gevis. And siclyk to

* French *Déjeûner.*

† Strong soup without vegetables, resembling beef-tea.

‡ Rabbit. § Pigeons.

thair supper." According to our modern notions, the solids on which the masters fared were more sumptuous than the liquids. The only meal at which liquor was allowed to the bursars was dinner: "ane quart of of aill." From the Acts passed by Parliament in the sixteenth century regulating the price of ale so that the seller might have no undue advantage of the buyer, it is plain that the liquor was regarded as a necessary article of diet. In those pre-Lawsonian years the design of the Acts was to encourage, not discourage, its use. Drunkenness does not appear to have been a popular vice. It was by no means severely dealt with even by the Reformers; and although after the Reformation regulations were passed in Edinburgh and other cities closing all taverns and alehouses at ten o'clock, this was a mere corollary of a regulation for clearing the streets at this hour; there was no intention to interfere with or limit the consumption of ale. In like manner an Act passed in 1605 reducing the number of ale-

houses on the borders was intended merely to diminish the resorts of thieves and rievers. Even the Covenanter Nicoll regarded the placing, in 1659, of an additional impost on ale by the town of Edinburgh as a positive act of impiety, at which at the same instant "God frae the heavens declared His anger by sending thunder and unheard tempests and storms."

The quantity of wine which about the beginning of the sixteenth century came into the general market appears to have been comparatively small. In 1508 the Edinburgh magistrates decided that the vintners should appoint four or five persons of their faculty to buy the "hule hoip" of wine and divide it equally. For a long while after, however, the king (or queen), the prelates, and the nobility claimed wine almost as a perquisite of their own. In the reign of Mary Stuart regulations were more than once passed, not only fixing its price but forbidding the importers to sell their supply until the "Queen, prelates, earls,

lords, and barons be first stakit"; and when the wine duties were imposed in 1608 the nobles were specially exempted from payment. It is curious, and perhaps edifying, to note that John Knox, strongly as he denounced the luxurious and sensuous habits of the Catholic clergy of his time, retained till his dying day that relish for French wine which he had no doubt acquired when a priest. Much as he railed against the French mote in Queen Mary's eye, he was all unconscious of the beam of French claret in his own. Amid the stern and severe thoughts which seemed to form the staple of his meditations on his deathbed, as recorded by Richard Bannatyne, the pleasant and kindly homeliness of the following incident stands out in curiously piquant relief: "The Setterday," says Bannatyne, "John Durie and Archibald Stewart come in about twelve houris, not knowing how seike he was; and for thair cause come to the table, which was the last tyme that ever he sat at ony thereafter; for

he caused pierce ane hoggeid of wine which was in the seller, and willed the said Archibald send for the same so long as it lasted, for he would never tarie [live] untill it were drunken."

Ultimately there were three varieties of Scots ale—small, household, and strong; but it is the household ale alone—the "tippenny" of the Act of Union, of Allan Ramsay and of Robert Burns—that is properly entitled to the name and dignity of the national liquor. Ale of a corresponding quality to that of Allsopp or Bass did not become a common beverage in Scotland till comparatively recent times. Until the union of the crowns there was practically no commercial intercourse between the two kingdoms. It was with the utmost difficulty that James VI., in 1599, could persuade Elizabeth's minister Cecil to grant the required license for the transportation to Holyrood of "twelve tuns of double London beer" (stout, no doubt) for the "King's dearest spouse," she, it was pathetically

pleaded, being "daily accustomed to drink of the same"; but on his advent to the English throne such restrictions were greatly modified. In 1610 an Act passed by the Privy Council to regulate the price of English beer in Scotland set forth that importers should "sell each tun of the said beer for £6, so that the retailer thereof may sell the same for 18d. the pint, the penalty to be £20 for each tun sold for more than £6." Probably the design and result of such an enactment was to greatly diminish the importation of English beer; at any rate the Customs Act of 1663 had a very prejudicial effect on this and other exports and manufactures. The question as to the duty to be paid on Scots ale gave rise to considerable discussion in the debate on the Seventh Article of Union. The one party held that it should be taxed at the same rate as English ale, the other at the same rate as English small beer; but when the question was examined in committee a medium duty was agreed on. Subsequent changes in the

excise duties on malt led in Glasgow to serious riots, and inspired the Jacobites with delusive hopes of a successful rising.

Ale and claret are the liquors chiefly sung by Allan Ramsay and by Robert Fergusson. As every schoolboy does not know, honest Allan immortalised two Edinburgh alewives —Maggie Johnstoun, who kept the famous golfers' house of call near Bruntsfield Links—

> "Aften in Maggie's at hy-jinks *
> We guzzled scuds,
> Till we could scarce wi' hale-out drinks
> Cast aff our duds."

and Lucky Wood in the Canongate, who

> "Ne'er gae in a lawin † fause,
> Nor stoups a' froath aboon the hause,
> Nor kept dowd tip ‡ within her waws,
> But reaming swats ; §
> She ne'er ran sour jute, because
> It gies the batts." ||

In Ramsay's day there was no such thing

* A drinking game. † Reckoning.
‡ Stale tipple. § New ale. || Colic.

as the modern "public." Ale, too, is the liquor quaffed in Fergusson's "Farmer's Ingle":—

"Weel kens the gudewife that the pleughs require
A heartsome meltith, * an' refreshing synd †
O' nappy ‡ liquor, o'er a bleezing fire:
Sair wark an' pourtith § downa well be join'd.
Wi' buttered bannocks now the girdle reeks:
I' the far nook the bowie || briskly reams."

In "Toddlin' Hame," which Burns thought "the first bottle song that ever was composed," nothing stronger than ale is mentioned:—

"Fair fa' the gudewife, and send her gude sale!
She gies us white bannocks to relish her ale;
Syne, if that her tippenny chance to be sma',
We tak a guid scour o't and ca't awa'."

But, though Ramsay could be "blythe and fain" upon beer, he in certain moods indicates a special appreciation of claret,

* Meal. † Draught. ‡ Strong or good.
§ Poverty—scant fare. || Cask of beer.

especially in winter weather, when golf or bowls were in abeyance :—

"Then fling on coals, and ripe the ribs,
And beek * the house baith but and ben;
That mutchkin-stoup it huds but drips,
Then let's get *in the tappit hen.* †
Good claret best keeps out the cauld,
And drives away the winter soon;
It makes a man baith gash ‡ and bauld,
And heaves his soul beyond the moon."

In the eighteenth century claret was usually kept on tap in the best taverns. Fergusson sings of one in Dumfries famed for the liquor, and volunteers the opinion that, if that "pleasant sinner" Q. H. F. had been alive,

"Nae mair he'd sing to auld Maecenas
The blinking een o' bonny Venus;
His leave at ance he wad hae ta'en us
For claret here."

---

* Warm—by means of a blazing fire.

† A bottle shaped like a hen, and holding three quarts of claret.

‡ Wise.

Fergusson wrote some forty years later than Ramsay. Occasionally he mentions whisky and gin with approbation. It was perhaps the introduction of these more heady liquors that moved him to pen what is probably the earliest extant teetotal ode, his "Cauler Water," but his example in no wise corresponded with its precept and sentiment.

Dr. Somerville in his "Own Life and Times," referring to the period of his boyhood—about the middle of the eighteenth century—thus writes: "In families of my own rank the beverages offered to ordinary visitors consisted of home-brewed ale and of a glass of brandy; or, where there was greater ceremony, claret and brandy punch." For a time the importation of French wine was stayed by the plague of Marseilles (1720); but the use of claret, thus partially interrupted in Scotland, was again resumed, the real cause of its permanent decline as the beverage of the Scottish middle and upper classes being the outbreak of the

great war towards the close of the century. Port or other stronger wines were comparatively little drunk in the north till the present century. Thus, a cargo of port, brought by Sir Laurence Dundas in 1743, failed to find a ready sale; the Scottish palate was then unused to it, and it was necessity rather than preference that ultimately gave it its vogue.

The quality of our forefathers' liquor must be taken into consideration in determining the significance of such anecdotes as are illustrative of their convivial habits. Perhaps the comparative weakness of the tipple was responsible for their longer sittings. Vinous intoxication is also by no means so immediately hurtful as that produced by the stronger liquors, although possibly the taste "latent if not developed for powerful liquors" may have led to special excess in the use of the light wines. Otherwise the drinking customs of the better classes in Scotland were closely modelled on those of the French.

The tavern played quite as important a part in the social life of Edinburgh as the *café* continues still to do in the social life of Paris or Marseilles. There the advocate discussed his client's business over a glass of claret or bottle of ale, and tavern dinners were a common diversion even of married men. In winter the wine was mulled and drunk hot, sugar being used with it before tea or coffee was popular. But with the invasion of strong waters, the respectability of the tavern departed.

In early times drinking in alehouses was of the same prolonged character as drinking in taverns, and for similar reasons. Whisky is far too potent and speedy in its effects for the old drinking game of chance "high-jinks." "Scourging a nine-gallon tree," which is, being interpreted, drawing the spigot of a barrel of ale, and never quitting it till it be drunk out, was another roisterer's pastime; but (in spite of Burns's witness to its merits), with a staple of "tippenny" it must have been

alike comparatively innocuous and unspeakably dreary. The excessive drinking indulged in at Lowland funerals in the eighteenth century seems to have been coincident with the transition from ale to whisky. The provision of refreshments was in many cases a necessity, on account of the long distances some mourners had to come. The ordinary was originally ale, with bread and cheese; but when whisky began to be supplied on the same bounteous scale as the milder beverage, the consequences were sometimes appallingly ludicrous and sometimes hideously indecent.

II.

USQUEBAGH.

What about whisky during the centuries when ale and claret were the chief handmaids to Scottish mirth? Had it no existence? Were its virtues really unknown? Or did the Scot, in Burns's phrase, "twist" at it "his gruntle * wi' a glunch † o' sour disdain"? If it was unknown, who was its discoverer, or how was it introduced? At least a fairly satisfactory answer is possible. So far as the bulk of the Lowlands is concerned, whisky was virtually non-existent as a beverage till near the close of the sixteenth century, and did not come into general use till very much later. The

* Snout. † Frown.

name of its creator does not survive even in national myth; the circumstances attendant upon its entrance on the stage of time are involved in such a mystery as that which shrouds the origin of species. The probability is that the general benefactor was some mighty "medicine man" of the ancient Celts; but who he was and when or where he first set up his still and called spirits from the yeasty malt remains unrecorded. It is, however, well-nigh indubitable that in Scotland the original manufacturers of whisky were the Celts of the Highlands. Usquebagh was made as early as the twelfth century by their cousins the Celts of Ireland, and the presumption is that the art was known to their common ancestors before the migration. Distillation is mentioned by the Arab Geber, who flourished about 800; but whether Geber was known or not to the inhabitants of mediæval Britain, it is unlikely that a mere hint from him would, as some writers have loosely and carelessly suggested, in-

spire the British Celts to the production of usquebagh. No doubt the art of distillation may have been discovered spontaneously by different nations, but it is entirely inconsistent with facts to theorise that the manufacture of whisky in Scotland originated in times comparatively modern through the introduction of the art of distillation from England or elsewhere. On the contrary, it is beyond question that usquebagh figured in the rude orgies of the Celtic clans long before modern influences had penetrated to their fastnesses. For centuries it may have remained wholly unknown to their Lowland neighbours: dammed up, as it were, by the barriers of alien custom and foreign speech. Hector Boece, who wrote about the beginning of the sixteenth century, says of the ancient customs of the Scots, that "at such times as they determined to be merry, they used a kind of *aqua vitæ* void of all spice, and only consisting of such herbs and roots as grew in their own gardens. Otherwise

their common drink was ale; but in time of war, when they were enforced to lie in camp, they contented themselves with water, as readiest for their turns." Boece is rather incorrect and credulous, and many of his statements must be taken *cum grano salis;* but his native district bordered on the Highlands, and not improbably the Highland custom of drinking usquebagh was occasionally indulged in there, although himself appears to have had a very indistinct and imperfect knowledge of the character of the liquor.

Possibly the first to introduce usquebagh to the Lowlands were the monks; and, at any rate, the earliest Lowlander associated with its manufacture was a friar, John Cor by name, who in 1495 obtained eight bolls of malt from the exchequer for this purpose. Its Latin name, *aqua vitæ*, also suggests conventual associations. In 1505 the right to sell it in Edinburgh was conferred on the surgeons; and in 1557 Bessie Campbell was summoned before the magistrates and

ordered to cease from vending it in the burgh except on market days. The first Scotsman handed down to posterity in connection with a case of drunkenness from whisky, was probably the ill-fated Darnley: on one occasion he distinguished himself by making one of his French friends drunk on *aqua composita*, of the inebriating qualities of which the Frenchman may have been too sceptical. An enactment that, by reason of the dearth of malt, no whisky should be brewed or sold from the 1st of December, 1579, to the 1st of December, 1580, except that nobles and men of rank might distil it from their own malt for use in their families, would seem to prove that by that time the liquor was advancing in popularity. It was much earlier in general use in the west of Scotland than in other Lowland regions—a fact which may be accounted for either by their proximity to the Highlands or to the districts of the Strathclyde Welsh. Early in the sixteenth century the inhabitants of

the western burghs—Ayr, Irvine, Glasgow, Dumbarton—had liberty to furnish the inhabitants of the isles with "baken bread, brown ale, and *aqua vitæ*, in exchange for other merchandise." In several towns and burghs bordering on the Highland regions whisky was distilled in considerable quantities early in the seventeenth century. The principal indications of its Lowland use at this time occur in the districts fringing the Highlands, while the whole weight of evidence leads to the conclusion that its use in the latter region was universal. In 1616 the funeral expenses of Sir Hugh Campbell of Calder amounted to £1,647 16s. 4d., Scots, of which no less than a fourth went in whisky; while Taylor, the Water Poet, refers to the "most potent *aqua vitæ*" drunk at the great Highland hunt meeting of 1618. In 1638 it was not sold in the taverns of Aberdeen, "wine, ale, or beer" being alone mentioned in a regulation regarding their early closing; but along with ale or beer "strong waters

aqua vitæ" was in 1655 forbidden by the town council to be made or sold without a special license. By 1655 it was also sold in Glasgow taverns, and in 1657 a special day was appointed for fixing the excise on it.

In William Cleland's "Mock Poem upon the Highland Host who came to Destroy the Western Shires in Winter, 1678," the Gaelic love of whisky is specially satirised. "A tap horn filled with usquebay" is mentioned as one of the essential equipments of each; and, says Cleland, after cataloguing the "good things," which the Hielandman doth specially affect:—

> "There's something yet I have forgotten
> Which ye prefer to roast or sodden,
> Wine and wastles, I dare say,
> And that is routh * of usequebay."

In the Covenanting times usquebagh was contemned by the Presbyterians, both people and clergy; but one of the accusa-

* Plenty.

tions brought in "Faithful Contendings" against three of the Covenanting preachers by the Covenanting General Hamilton was that "when at any time they came out to the country, whatever things they had, they were careful each of them to have a great flask of brandy with them, which was very heavy to some, particularly Mr. Cameron, Mr. Cargill, and Henry Hall."

By an Act of Parliament of 1690, Duncan Forbes of Culloden, in recognition of his loyalty during the rebellion of Graham of Claverhouse, Viscount Dundee, and in consideration of the damage done to his lands and distillery of Ferintosh by the rebels, received a perpetual liberty to distil grain at his "brewery of *aqua vitæ* of Ferintosh" on payment of a small specific composition in lieu of excise. It is perhaps of importance to note that in this Act the brewery is styled "ancient," which would seem to indicate that whisky had been made at Ferintosh for at least a very considerable time, and probably long before

the property came into possession of the Forbeses in 1670. The result of the grant was to give Forbes almost a monopoly in the manufacture of whisky, for which Ferintosh continued to be a common synonym even in the present century. In 1785 the privilege was withdrawn, over £25,000 being paid in compensation. "Thee, Ferintosh! O sadly lost!" says Burns; and it may well be believed that the moderate price at which Ferintosh could be sold, had greatly aided in popularising the liquor in the Lowlands. Many a Lowlander had doubtless learned to appreciate the merits of usquebagh during the Highland campaigns of Montrose and Dundee. Charles Edward in his wanderings had frequently to be content with it; and on one occasion he and two Highlanders finished a bottle between them, the larger share falling to the prince. At that period a "dram" was the first article of hospitality presented to a stranger on entering a Highland hut. Not, however, till after the subjugation of

the Highlands and the amalgamation of the two peoples, did whisky come to be regarded as a Lowland Scottish drink. It was not uncommon in the Lowlands, in the time of the poet Fergusson, but he refers to it as "Highland," and in "Leith Races" associates whisky-drinking only with the Highland guard of Edinburgh:—

"To whisky pleuks * that burnt for 'ouks†
On Town-guard soldiers' faces,
Their barber bauld his whittle ‡ crooks,
An' scrapes them for the races."

For many years before whisky came into general use brandy had been drunk by the upper classes; and among the Highland gentry who affected the fashionable manners of the Lowlands brandy had almost superseded their native liquor. In many districts of the Lowlands the use of whisky was also preceded by that of gin from England or rum from Jamaica. In 1775 when Major Topham visited Edinburgh

* Pimples. † Weeks. ‡ Knife—Razor.

whisky was not a fashionable liquor. In the oyster cellars which he visited toddy appears to have been unknown. Punch was "quite the thing," but the choice was between brandy and rum punch. Rum was a specially favourite liquor in Glasgow (owing to its West Indian trade) at the close of the century: Strang, in his "Glasgow Clubs," states that "rum punch was the universal beverage of the members of the Pig Club at their dinners, as it was at those of all the jovial fraternities in the city; and rum toddy was, as elsewhere, the accompaniment of every supper. Whisky in those days, being chiefly drawn from the large flat-bottomed stills of Kilbaggie Kennetpans, and Lochryan was only fitted for the most vulgar and fire-loving palates; but when a little of the real stuff from Glenlivet or Arran could be got—and to get it was a matter of difficulty and danger—it was dispensed with as sparing a hand as curaçoa or benedictine."

The appearance of the modern public-

house on the scene of Scottish rural life is chronicled by Hector MacNeill in his "Will and Jean" (1795) :—

"Brattling * down the brae, and near its
Bottom, Will first marv'lling sees
'Porter, Ale, and British Spirits,'
Painted bright between twa trees.
'Godsake, Tam, here's walth for drinking;
Wha can this new comer be?'
'Hoot!' quo Tam, there's drouth in thinking—
Let's in, Will, and syne † we'el see.'"

Possibly Burns had considerable influence in popularising whisky in Scotland. He mocked at those who wet "their weasan ‡ with liquors nice"; he railed at "brandy, burning trash," and poured contempt on "poor devils" who meddled "wi' bitter dearthful wines"; and he patriotically extolled Scotia's native drink, the "barley bree," whether in the form of ale, "the poor man's wine," or in that of "whisky, soul o' plays and pranks!" But ale is as frequently the theme of his muse as the

* Hurrying. † Then. ‡ Windpipe, gullet.

stronger liquor. This was that "barley bree" that Willie, Rab, and Allan "preed the lee lang nicht"; and it was from "reaming swats that drank divinely" that Tam o' Shanter got courage to gaze unabashed on the "unco sight" in "Alloway's auld haunted kirk." Whether Burns's praise of liquor has had a prejudicial effect on Scottish life may be commended to the consideration of debating societies.

III.

THE STAFF OF LIFE.

The population of Old-world Scotland being thin and sparse, the means of sustenance were on the whole plentiful. That was an exceptional household which, in the Middle Ages, and later, could not boast

"To haue guse, cok and hen,
Bread, drink and bedding to treat horse and men."

Starvation, or even the mordant misery of hunger, was probably almost unknown, or the result of years unwontedly calamitous. Even when seasons were exceptionally unfavourable dearth was not so universal and all-pervading as to be intolerable; and though a course of Southron rapine might

cause a vast amount of temporary suffering, it could hardly ruin the food resources of an entire district. A partial failure of the harvest might occasion some scarcity of bread, but probably what was affected was quality rather than quantity. In any case the staple vegetable, kale, retained its normal and luxurious greenness through all the atrocities of winter weather. Also when whole tracts were beggared of sheep and kine restitution was not impossible by means of a foray across the border; and in any case there were the moorlands and the woods, which abounded in game of many kinds, while the rivers and estuaries teemed unfailingly with fish. By the beginning of the sixteenth century the whole nation was not more than half a million strong; and although the science of agriculture was still in its infancy, it sufficed to meet such demands as were made on it. One dearth, serious in some parts of Scotland, did occur in the fifteenth century, but it was not till the closing half of the sixteenth century

that famine years recurred with any frequency. Even then much of the scarcity was due to the luxurious living of the nobles, or a result of the broils and civil wars at the time of the Reformation or in the reign of James VI. The farmer in early times turned his attention chiefly to the raising of oats, his sheep and cattle being left almost wholly to their old ways and their own devices; but dairy produce—milk, butter, cheese—was in general use from times the most remote. Barley and wheaten bread were not uncommon at the tables of the lords and barons, but from time immemorial oats was the grain affected by the multitude; and even yet in Scotland a common synonym for it is the generic term "corn."

At first, when the pinch of poverty was not so sharp and flesh was cheaper and more abundant, the grain was of less importance in itself, and the forms in which it appeared were not so various; but oat-cake was always the staple bread of Scot-

land, in the Lowlands and Highlands both. "Of otes," according to Bishop Lesley's "History of Scotland," "by the opinion of many is made very gude bread, nocht tasteless, but with great labour, quilke all the north part of England, and the greater part of Scotland use, and are sustained upon commonly." In the north of England the oaten cake was known as haver-bread, and the same name was also current in some parts of Scotland. "O whaur did ye get that haver-meal bannock?" asked the "silly auld body" of the ballad; and the answer was, "Between St. Johnstone's" (Perth) "and Bonnie Dundee." Writing towards the close of the sixteenth century, Fynes Moryson, as one illustration of the rudeness of Scottish cookery, states that the Scots "vulgarly" (commonly) "eat hearth-cakes of oats." In Roman times the same hearth-cakes of oats were the bread of the savage natives, who baked them on stones round the fire. These stones the native Celts termed "greadeal."

They formed a ring round the fire, and hence the peculiar significance of the word "girdle" in the Scots vocabulary. Froissart has a curious reference to this ancient and indispensable utensil of the Scottish housewife, and gives a picturesque illustration of its use by the Scottish soldiers. Amid all their wanderings and adventures they remained ever faithful to their native bread, and retained a tenderness almost pathetic not for *aqua vitæ*, but for oatmeal. It was the one indispensable article of diet, and as they had no guarantee that they would be able to beg, borrow, or steal it, they had to carry with them a supply. According to Froissart, a man's acoutrements included a flat plate at his saddle and a wallet of meal at his back, "the purpose whereof is this: Whereas a Scottish soldier hath eaten of flesh so long that he begins to loathe the same, he casteth this plate into the fire, he moisteneth a little of his meal in water, and when the plate is heated he layeth his paste thereon and

maketh a little cake the which he eateth to comfort his stomach. Hence," our author infers with a notion somewhat loose and inexact of the principles of ethnological or physiological science, "it is no marvel that the Scots should be able to make longer marches than other men." All the same, if we are to believe the anonymous author of "Andrew and his Cutty Gun," oat-cakes might tend to bring about a physical condition not altogether conducive to the accomplishment of long marches. Says he of his heroine, ale-wife, or what-not :—

> "The carline * brought her kebbuck † ben
> Wi' girdle-cakes well tosted broon.
> Weel does the canny kimmer ‡ ken, §
> They gar || the scuds gae glither ¶ doon."

And annotating these stanzas—probably for the information of benighted Southrons —Burns remarks that "these oatmeal

* Old woman. † Cheese. ‡ Gossip.
§ Know. || Cause. ¶ Easier.

cakes are kneaded out with the knuckles and toasted over the red embers of wood on a gridiron. They are remarkably fine," he adds—presumably on the authority of frequent experience—" and a delicate relish when eaten warm with ale. On winter nights the landlady heats them and drops them into the quaigh to warm the ale." But if the muse of Allan Ramsay does not lie, the principle was absolute, for a pease scone might be substituted for the oaten cake :—

" Sae brawly * did a pease-scon toast
Biz i' the queff † and flie the frost,
There we got fou wi' little cost
And muckle speed."

It is possible that bannocks or scones—be they of wheat, or bere, or barley, or pease, or " mixed " meals—may point to the existence of a less primitive kitchen ; but they must nevertheless be reckoned as essentially Scottish. The differences in the

* Finely. † Drinking cup.

methods of baking and firing are mere adaptations of old modes to the peculiarities of new materials. Pease bread was very anciently in use, but probably was only partaken of by the poorest, or from dire necessity. Thus in the "Lamentations of Lady Scotland," written in 1572 during the siege of the Castle of Edinburgh, the extremity of destitution is indicated in the line—

"And glaid to get Peis breid and watter caill."

Shortbread—"Scotch cake," as it is called in South Britain—is probably the triumph of Scottish baking on the old national lines. It may have been the invention of some professional Scotch cook or baker, but he must at least have been thoroughly imbued with the old Scots household notions in regard to the "staff of life." It is probably entitled to the place of honour among the breads of Britain, if regard be had to the cheapness and simplicity of its materials, its pleasant sweet-

ness, and its wholesomeness and digestibility in comparison to other sugared cates.

Among Scottish household breads neither the wheaten loaf nor any form of wheaten bread was ever included. These were (and still are) known as "baker's bread," and were only to be had in the principal towns. It was enacted that sixteen ounces of fine bread (doubtless the wheaten loaf) should be supplied to Queen Mary's attendants for four pennies Scots during her visit to Jedburgh in 1566; but even in cities, according to Fynes Moryson, wheaten bread was bought, at the close of the sixteenth century, chiefly by "gentlemen, courtiers, and the best kind of citizens." The records of the burgh of Aberdeen contain a curious enactment made on the 8th of October, 1656, forbidding, probably in the interests of the professional baker, oat-cakes to be baked or sold within the burgh, but probably, in this instance at least, Aberdeen was in advance of other towns in Scotland. As regards the country districts,

the wheaten loaf so late as 1750 was rarely seen on the tables even of the richer classes. "Though wheaten bread," says Dr. Somerville, "was partly used, yet cakes or bannocks of barley and peasemeal formed the principal household bread in gentlemen's families; and in those of the middle class on ordinary occasions no other kind of bread was ever thought of." And thus, when railways were unknown and means of communication difficult in Scotland through, there prevailed a curious difference between town and country in respect of the bread in general use. Not more than fifty years back "loaf-bread" was still a luxury in certain districts, and the staple was as yet cakes or bannocks of oats or pease for the poorer classes, bannocks of barley-meal being used at the wealthier tables, and for special occasions at the tables of the poor. Thus a correspondent of Fergusson the poet promises to treat him, among other dainties "wi' bannocks o' gude barley-meal."

In the beginning the professional baker

in the towns may possibly have borrowed his methods from the French. At any rate, being patronised chiefly by the nobles and the wealthier burghers, he was accustomed to use the very best materials, and he rejoiced in every encouragement to devote himself to the perfection of his methods. Edinburgh was doubtless the cradle of the craft; and if you want to beat the Edinburgh baker you must go—not to London, but—to Paris or Vienna. It is true that, with the accession of James VI. to the English throne, London was invaded by a host of bakers, among other tradesmen, from the north; but possibly the native shrewdness soon perceived that to catch the obtuse, uneducated English palate, it was as unnecessary to deal with the "finest of the wheat" as to seek to excel in the art of baking. At any rate their incursion has failed to raise the average standard of excellence of the London loaf, which is probably the worst of any capital in Europe.

IV.

ON KALE AND BEEF.

THE natural vegetable of Scotland was the green kale, of which nettles, leeks, onions, ranty-tanty (sorrel), carrots, and turnips were, most of them, probably late, and all of them certainly inadequate, and partial rivals. For unnumbered centuries the place of kale in Scottish domestic economy has been almost as unique as that of potatoes during the last two hundred years in the domestic economy of Ireland. A "gude kale-yaird" was as indispensable to the old Scottish cotter—and even his betters —as the potato-plot is to the Irish peasant.

"Although my father was nae laird,
'Tis daffin * to be vaunty,†
He keepit aye a gude kale-yaird,
A ha' house and a pantry."

---

* Foolish. † Boastful.

A recent writer on Ireland has bemoaned the adoption by the Irish of "Raleigh's fatal gift," which he describes as a "dangerous tuber" and a "demoralising esculent"; but although the green kale has been in use in Scotland for unnumbered centuries, no suspicion of dangerous or demoralising tendencies have been mooted of it; nor has it manifested any tendency unduly to "swell the population," except, perhaps, in a merely gastric sense. In ancient times every Scottish meal was flavoured with it in some form or other, great ingenuity being shown in varying the methods of its preparation. Both blades and stalks were utilised, nothing of the precious vegetable being discarded. A "Godly Song" has it that

> "The monks of Melrose made good kaill
> On Fridays when they fastit,"

which, being interpreted, means, that if they eschewed flesh, they at least did not scruple to make use of broth in which beef

had been boiled. Even yet kale is the common name in Scotland for broth, and even a synonym for dinner.

Kale had thus in Scotland forestalled the potato, which in Ireland had become the chief and universal food of the masses before the end of the seventeenth century, but did not come into general use in "the land o' cakes" and kale till nearly a century later. For a long time the Scottish peasant's treatment of potatoes was curious and tentative. At first his view of them was probably identical with that of the housewife, who refused potatoes offered by a neighbour—they would "eat sae fine with the mutton," she said—on the ground that "we need nae provocatives in this house." He regarded them, that is, as less palatable than kale—or at least as a superfluity so long as kale was "to the fore"—and less nourishing than oatmeal; and when, towards the latter half of the eighteenth century, the farmer began planting them in the fields, there was a certain

apprehension lest it should be attempted to substitute them, as in Ireland, for oatmeal, if not even for kale and beef. But, chiefly on account of its abundant yield, the potato was bound to win in the end, although the predilection of the Scot for it has never been so excessive as that of the Irishman. He has mastered it, indeed, as completely as the Irishman has been mastered by it; and he may now be said to have succeeded in making the most that can be made of it, whether as an article of diet or as a source of profit. Its fortune has somewhat modified the position of green kale, but the cotter's garden-plot is still the "kale-yaird," and the time-honoured vegetable has not been ousted from its place in the nation's esteem. It is needful, however, to explain that it was chiefly among the Lowlanders that kale attained its extraordinary vogue. It is a vegetable essentially Saxon and non-Celtic. The more unsophisticated Highlanders regarded its use as a symptom of effeminacy; the Grants

who, living near the Lowland line, had grown fond of it were contemned as the "soft kale-eating Grants," and a Gaelic poem on the battle of Killiecrankie mocks at Mackay's defeated soldiers as "men of kale and brose." When the Highlander indulged in such a luxury as broth he preferred the common nettle; and, indeed, it was somewhat appropriate to the cateran. As for the aboriginal mountaineer, his appetite for vegetables was fed chiefly on wild fruits and nuts, the roots of wild herbs, and the leaves of certain trees.

In the very early centuries oats and kale were probably far less important staples of diet among the poorer classes than they subsequently became. In the case of Europeans vegetarianism, like teetotalism, is essentially a modern fad, chiefly affected by persons more or less languid and unhealthy morally or physically. A vigorous and energetic race is always carnivorous, and in later times it was simply the scarcity of flesh that compelled the Scottish

peasant to feed on it so sparingly. The aboriginal cave-dwellers were beyond doubt great eaters of flesh, and as long as it abounded it must have formed the chief food of the whole community. Abundant it seems to have been till at least the sixteenth century. Bishop Lesley records of the Bordermen of his time that they made very little use of bread, living chiefly upon flesh, milk, and cheese, and sodden barley. The northern Highlanders, who also were marauders, ate flesh largely, and often ate it raw. Lesley, indeed, affirms that they preferred it dripping with blood, because it was then "mair sappie and nourishing"; but his information on the point appears to have been defective, for though they did frequently eat beef and venison raw, their custom was to prepare it by squeezing the slices dry between wooden battens. One reason for this ultra-savage style of feeding was probably the original scarcity of cooking utensils, for the Highlander's antipathy to the arts of

the craftsman was inveterate. When the aboriginal Highlander or Borderer did condescend to cook his dinner, his appliances were of the simplest: he contented himself with seething the flesh of the animal in its own paunch, or in its skin. The brue, or broth, obtained in this way was the common drink of the Highlander; and Lesley affirmed it to have been so excellent that not the best wine, nor any other kind of drink, might be compared to it. Probably its quality was very similar to that of the strong Lowland soup called skink.

To the Highlander's habit of battening himself on raw flesh may probably be traced the tradition that now and then he was addicted to cannibalism. (The men of Annandale were also famed for similar dietetic eccentricities.) No doubt the calumny—if calumny it were—obtained a wider and more permanent acceptance by reason of the fact that the authority of St. Jerome could be quoted in support of it. But, calumny or not, it had gained

such credence, even in Jacobite times, in England that when the outlandish host appeared across the border some nervous folk were seriously concerned lest they or any of theirs should be ravished away to grace some conqueror's board.

As a matter of fact, the ancient Highlander, or at least the Highlander of the later Middle Ages, was very temperate in food and drink. No doubt he now and then indulged in frantic "spreeing," especially after a more than commonly successful foray; but as a rule he despised luxury and eschewed both gluttony and drunkenness. He broke his fast with a light meal, and took nothing more till in the evening he dined in the great hall of his chief. Here the character and quality of the food provided were regulated to some extent by the rank of the guest. But all ate sparingly; corpulence—*pace* Sir John Falstaff an inconvenient endowment for the professional thief—being held in high abhorrence.

V.

SCOTS VIVERS.

In the Lowlands it was, in early times, the custom of the nobles to entertain the bulk of their dependants at a common table. "Great families," says Lesley, "they feed, and that perpetually, partly to defend themselves from their neighbours, with whom they have daily feud, partly to defend the realm"; for the power and influence of the noble depended largely on the number and lustihood of his followers. Hospitality to strangers, too, was regarded as a sacred duty; so much so that when taverns began to be substituted, special enactments were passed compelling travellers to lodge at least their servants in them. Hunting

being a chief pastime in years of peace, there was never a lack of venison and wild game. Herds of wild cattle ranged the Caledonian forest, but such was "the gluttony of man" (the flesh of the animal, though "all grissillie," being of "a trim taste") that by the sixteenth century their numbers had been greatly diminished. Another kind of "ky nocht tame," with flesh of a "marvellous sweetness, of a wonderful tenderness, and excellent delicateness of taste" (the breed was doubtless the long-horned Highland) ranged the hill-country of Argyll and Ross almost at will. Besides other winged game, laverocks were a common article of diet, being in some districts so plentiful that in the sixteenth century twelve were sold for a French sou. Rabbits, or "cunyies," were such a favourite dish that in the thirteenth century a warren and its warrener were attached to every burgh. Mutton was in more common use than beef, but cows were kept in great numbers for dairy purposes,

and the monks were great poultry masters and encouragers of husbandry. In some parts there were swine that the forests glutted with mast and acorns, but otherwise they seem to have led a somewhat unhappy and persecuted life. Sir Walter states that "pork or swine flesh in any shape was till of late years much abominated by the Scots, nor is it yet a favourite dish amongst them." No doubt the latter clause of this pronouncement was true when Sir Walter wrote, but the former requires modification. The antipathy of the ancient Highland Scot to pork was as marked as the Jews, but among Lowlanders the distaste was neither so general nor so decided. From time immemorial pigs have been kept in the Lowlands. They seem to have been at least occasionally kept by the monks; a charter of David I. to the Abbey of Holyrood contains the following provision: "And the swine, the property of the aforesaid church, I grant in all my woods to be quit of pannage." This was,

however, before luxury had affected the ancient monastic habit. For many generations pork was in all probability the food chiefly of the serfs and the poorer classes generally. This may even be inferred from the severity of the enactments against their depredations. Thus, while other animals might only be impounded in such cases, swine found eating the corn or rooting in the tilth might be slain out of hand. But although at intervals from 1450 the town council of Edinburgh continued to order all swine found in the open streets, closes, or vennels of the city to be slaughtered or escheated, these industrious wayfarers went on contributing their quota to the picturesqueness and vivacity of street life in the capital till as late as the close of the eighteenth century. The swine—magisterially described as "ane unseemlie kind of beast"—does not seem to have invaded the city of Aberdeen until the middle of the seventeenth century. But it also exhibited there the same inveterate love of

city life. Dr. Somerville states that in his time, "though pork was sometimes presented at table, few ate of it when fresh, and even when cured it was not generally acceptable." Nevertheless it had begun to be exported in 1703, and an Act of 1705 for encouraging exportation contains directions for curing and packing. No doubt the introduction of the potato has greatly aided the extension of pig-keeping; and the change in the fashion of breakfasting introduced by the use of tea and coffee has given pork a permanent and prominent place at Scots as well as English tables.

Fish, both freshwater and salt, were largely used as food in Scotland from the thirteenth century onwards. The monks especially were devoted to the fostering and development of fisheries; and it was chiefly owing to their guidance and encouragement that the industry was soon a source of national wealth. By the thirteenth century Aberdeen was famous for her speldrins and other dried fish. As for

Loch Fyne herrings, "In no place," says Lesley, "were herrings so fat and of so pleasant a taste as in that loch"; and long before the bishop's time their peculiar excellence had secured them a ready sale in foreign parts. The salmon fishery, however, was probably the most important of all. The abundance of salmon in Scottish rivers is proverbial, the reason being no doubt that clearness of the water which comes of sandy or stony courses. This abundance caused salmon to be at one time despised by the wealthier classes in Scotland; and even in the eighteenth century so plentiful was the fish in some districts of Perthshire that the hinds made stipulations reducing the frequency of its appearance on the bill of fare.

The virtues of the oyster were early recognised. He figured along with buckies, limpets, partans, crabs, and other shell-fish at the royal banquet at Stirling in 1594, on the occasion of the baptism of Prince Henry; but not till long afterwards did

he become a fashionable luxury. Thus "glaikit * fools ower rife o' cash" were "pampering their wames † wi' fulsome trash," while Fergusson, with the poet's discernment, was inditing odes to him—

> "The halesomest and nicest gear
> O' fish or flesh,"

and was prescribing him as one of the chief of medicines for mind or body—

> "Come prie,‡ frail man, for gin thou'rt sick,
> The oyster is a rare cathartic
> As ever doctor patient gart § lick
> To cure his ails;
> Whether you hae the head or heart ache
> It aye prevails."

It were hard to tell for how many ages the cry of "Caller oo" || has been skirled through Edinburgh, but it is safe to say that the most ancient houses in High Street are younger than those which echoed back the first "agreeable wild notes" of the "great mother" of the noble Newhaven

* Careless. † Bellies. ‡ Taste.
§ Caused. || Fresh oysters.

succession. In the eighteenth century supping in oyster cellars was a fashionable diversion of Edinburgh; and Major Topham, in his "Letters from Edinburgh" (1776), remarks that the oyster cellar, named by its votaries the "Temple," seemed "to give more real pleasure to the company who visit it than either Ranelagh or the Pantheon." At such entertainments the presence of ladies was not merely allowable, but almost essential. Oyster suppers would not appear to have yet become an institution in English towns, and the Major naïvely confesses that after partaking of the fare he sat "waiting in expectation of a repast that was never to make its appearance" till all else was forgotten in the excellence of the brandy punch and the charming conversation of the ladies, "who," he remarks, "to do them justice, are much more entertaining than their neighbours in England," and "discovered a great deal of vivacity and fondness of repartee."

Mussels, the oyster's poor relation, were probably consumed as early as the Roman period in the form of mussel-brose. At any rate the burgh of that name is supposed to have been a Roman station; nor is there any doubt that its fame and fortune, like those of Newhaven, are based upon shell-fish.

"At Musselbrough, an' eke* Newhaven
The fisher-wives will get top livin'
When lads gang out on Sunday's even
To treat their joes, †
An' tak' o' fat pandores a prieven ‡
Or mussel-brose."

Thus the veracious Fergusson; and how long the custom he describes existed before it found its appropriate muse eludes research.

* Likewise. † Sweethearts. ‡ Tasting.

VI.

FEASTING AND FASTING.

There can be no doubt that in their fashions of living the Scots nobility were largely biassed by the influence of France. According to George Buchanan, luxury had begun to affect the national habit as early as the reign of David I., though that king, he states, was moved to banish his kingdom all epicures and such as studied to titilate and provoke the appetite. There is abundant evidence that the magnificent feasts and banquetings which were characteristic of the Middle Ages were not neglected by the Scottish monarchs, and it would moreover appear that gradually a very special attention was devoted in Scotland to

cookery. Hector Boece laments that where previously there was "plenty with sufficiency, we have immoderate courses with superfluity, as he war maist noble and honest that could devore and swell maist, and be extreme diligence serchis so mony deligat courses that they provoke the stomach to ressave more than it may sufficiently digest." These and other "new ingynis and devysis," he further states, were introduced by the nobility, "efter the fassione quhilke they have seen in France." That the modes of cookery were considerably modified by the French alliance may also be inferred from the names for some principal dishes, though these, whatever their style and title, may of course be of purely native origin. We learn from the Exchequer Rolls that James I. kept a French cook, and the probability is that his successors did likewise. That James IV. was as addicted to the pleasures of the table as to the splendour and magnificence of the

tournament may be inferred from Dunbar's "Dirge to the King bydand [abiding] to lang in Stirling." Parodying the ritual of the Church, the poet invokes the aid of patriarchs, prophets, apostles, saints, and martyrs for the deliverance of his master from the purgatorial "distress of Stirling town," and his restoration to the heavenly "merriness" of Edinburgh.

> "Ye may in hevin heir with us dwell
> To eit swan, cran, pertik, and plever,
> And every fische that swims in rever;
> To drynk with us the new fresche wyne
> That grew upon the rever of Ryne;
> Ffresche fragrant clairettis out of France
> Of Angerss and Orléance
> With mony ane course of gryt dyntie.
> Say ye amen for cheritie."

According to Buchanan, his successor James V. was temperate in his diet and seldom drank wine, but his personal habits in this respect had little effect on the customs of the time. During a great hunt in the Highlands he was himself entertained by the Earl of Atholl with (according to

Lindsay of Pitscottie) "all sich delicious and sumptuous meattis as was to be hade in Scotland, for fleschis, fischis, and all kindis of fyne wyne, and spyces, requisit for ane prince." An interpolated passage in a later manuscript than that mainly followed in the printed edition of Lindsay's "Chronicle" is touched with more particularity, and notes that "Syne were ther proper stuards, cunning baxters, excellent cooks and potingaris, with confections and drugs for their disserts." Under James's widow, Mary of Guise, French fashions continued to prevail at table as elsewhere, and under her daughter, Mary Stuart, the French tradition was unimpaired. Knox makes special reference to the extravagant banqueting of both the queen and her nobles. "The effairis of the kytcheing," he sardonically explains, "were so gryping that the mynesteris stipendis could nocht be payit." When Mary visited Jedburgh in 1566 the Privy Council passed a regulation that "ane manns ordinar at the melteth, being servit

with bruise, beef, mutton, and rost at the least, should be sixteen pennies Scotch"; and this was no doubt the servants' ordinary. The "rost"—the French *rôti*—probably consisted of some kind of game, but the brose no doubt was kale-brose, and the sodden beef and mutton are distinctly Scots. Presumably the viands served to the nobles and courtiers were much more sumptuous in quality.

That the French system of courses had come into general use is evident from a law of 1581 against "superfluous banqueting," which provided under certain prescribed penalties that no archbishop, bishop, nor earl should have more than eight dishes of meat at a meal; no abbot, lord, prior, nor dean more than six; no baron nor freeholder more than four; and no burgher nor other substantious spiritual or temporal more than three. The Act was not to apply to certain festival days nor to banquets to foreigners, which latter, however, were only to be given by archbishops, lords, abbots,

deans, barons, and provosts. Another Act was passed against the use of "foreign drugs or confections"; and the reason of the enactments against luxury was that food supplies were actually beginning to run short. More than half a century before Dunbar had lamented that

> "In burghis to landward and to sie
> Quhair was pleasure and grit plentie,
> Vennysann, wyld-fowll, wynne, and spice
> Ar now decayed through covetyce."

The treatment of waste and luxury was no doubt a first symptom of the disease, but the increase of population and the backwardness of agriculture and cattle-rearing made that disease worse felt as years went on. The Acts (passed in different years) prohibiting meat during Lent, and latterly also on Wednesdays, Fridays, and Saturdays, were professedly occasioned by the prevailing dearth; and to some extent their influence continued down to the eighteenth century. Thus the bursars of

St. Andrew's University, so long as they continued to dine in the Common Hall, were restricted three days of the week to fish and eggs, and to broth and beef on the other four. In Aberdeen the sin or crime of "superfluous banquetting" seems to have been besetting at baptisms. In 1626 the Town Council of the granite city deemed it expedient to enact "that thair shall be bot sex women at the most invited or employed to convey the child to and fra the kirk, nather yet shall thair be any man persons invited to any denner supper or afternoones drink at a baptisme, or yit any other tyme during the haill space of the womanes chyldbed, or at the upseat bot sex men and sex women at the most: And withal ordaines that naine presume to have at any such tyme any kynd of suggars droiges or confectionns brocht from foraine countreis, nather yit any kynd of vennesone wyld meat or baikin meat under the pain of fourtie poundes money." The Reformers inculcated austerity in diet

persistently ; and erroneous and even baneful as were their notions in regard to the sinfulness attaching to most forms of enjoyment, some of the restrictions imposed by them may have been salutary for the nonce. By especially discountenancing extravagance and wastefulness among the wealthy they possibly to some extent succeeded in preventing the want of food from pressing too severely on the poorer classes. Moreover to those whose means of procuring food were limited it was doubtless a certain comfort to reflect that there was virtue in abstinence. One peculiar innovation of Protestantism was the introduction of an uncommon form of fasting. The general practice of that form "of private fasting which standeth chiefly in a temperate diet" was recommended as of special religious efficacy; and in the "Order of the General Fast" appointed by the General Assembly of the Kirk in 1565 there was ordained a week's "perishing," during the whole of which only the most

meagre diet was permissible, while entire abstinence was "commanded to be from Setterday at eight houres at night till Sunday after the exercise at afternoone, that is after five houres; and then only bread and drink" [water, no doubt] "and that with great sobriety." As a protest or reaction against current excesses such a form of discipline may not have been altogether ineffectual for good, though human nature—even that variety bred in Caledonia "stern and wild"—was bound in the long run to find it "too grievous to be borne."

VII.

IN PRAISE OF THE HORN SPOON.

The great change in the Scots kitchen dates from the beginning of the seventeenth century. It was a consequence partly of the severance of intercourse with France, partly of the Puritanism of the Reformers, and partly of the increasing insufficiency of the supplies of meat. In all probability it was during the next hundred and fifty years that oaten meal, always an important article of diet, became almost exclusively the food of many districts. When Fynes Moryson visited Scotland in 1598 the servants at the knight's table dined on porridge, but each plate had in it a piece of sodden meat. As

times grew harder porridge was still the staple, but (here the italics are absolute) *the piece of sodden meat had vanished.* Thus, too, the important ingredient in the ancient kale soup was less the kale "broo" than the beef-juice; but in later and harder years there was but kale and *water.* Frequently the make-believe of water-kale, or "muslin-kale," as Burns has it, was supped instead of the original broth even in Henryson's time, the latter half of the fifteenth century—

> "Thus how he stands in labour and bondage,
> That scantlie may he purches by his maill
> To leve upon dry-breid and water-caill."

In the austerer years of the seventeenth and eighteenth centuries the French influence was discernible chiefly in the ingenuity displayed by the housewife in making the most of nothing. The "Blythesome Bridal" is comparatively well-known, but some lines of it may here be quoted as a complete exposition of the kitchen of

lower-class Scotland in the seventeenth century:—

"And there'll be lang kale and pottage,
And bannocks o' barley meal,
And there'll be guid saut herrin'
To relish a cogue * o' guid yill.

* * * * *

Wi' siybows and rifarts and carline
That are baith sodden and raw.

* * * * *

There'll be tartan, dragen and brochan,
And fouth o' guid gabbocks o' skate,
Powsoudie, and drammock, and crowdie,
And caller nowt-feet on a plate.
And there'll be partans and buckies,
And speldins and haddocks enew,
And singit sheep-heads and a haggis,
And scadlips to sup tell ye're fou.

There'll be lapper-milk keppocks,
And sowens, and farles and baps,
Wi' swats and weel-scraped paunches,
And brandy in stoups and in caups;
And there'll be meal-kail and custocks
Wi' skink to sup till ye rive,
And roasts to roast on a brander
Of flouks that were taken alive.

* Wooden jug.

Scrapt haddocks, wilks, dulse and tangle,
And a mill o' guid sneeshin to prie;
When weary wi' eatin' and drinkin'
We'll rise up and dance till we dee."

Apart from the abundance of fish, the special feature of the "Brydal" banquet is the metamorphoses of meal. "Bannocks o' barley meal" (the finest bread of the lower classes) figure prominently enough. But of oatmeal we have tartan—tartan purry it was sometimes called, and probably therefore was a partially French invention—a pudding made chiefly of chopped kale and oatmeal; brochan—oatmeal mixed with boiled water, flavoured with onions or pounded cheese; drammock—raw meal and water; crowdie—a thicker variety of the same with the addition of butter, or possibly milk porridge, sometimes called crowdie-mowdy; meal-kail—the "Kail-brose o' auld Scotland"; with "sowens," "farles," "baps," and, to crown all, the haggis. The white and red puddings are absent, "weel-scraped paunches" (or tripe) being favoured

in their stead; and wisely, for they could but have been at a discount in the radiant presence of the "great chieftain o' the Puddin-race." Certain benighted and God-forsaken theorists have ventured to surmise (from the similarity of the name to the French "hachis") that the haggis is one of the nobler legacies of France to Scotland; and of course it is possible that some earlier Vatel, some prehistoric Soyer, crowned the preparation with its un-Scottish name. But the oatmeal is peculiarly Scottish; and the method of cooking is not very far removed from the early barbarism of using the paunch of the animal as its own seething pot. Moreover, to the French themselves the haggis is *le pain bénit d'Écosse*. (It was frequently eaten cold; and doubtless owed its designation, "*le pain bénit*," to the fact that it was customary to send it from the old country to the "Scot abroad.") That the haggis was suggested rather by thrifty poverty than by epicurean daintiness seems also antecedently prob-

able. Even in Dunbar's day its satisfying bounteousness had become proverbial—

"The gallowes gapes efter thy graceless gruntle,*
As thou would for a haggeis, hungry gled."

In the peasant's home it was set in the centre of the table, all gathering round it with their horn spoons; and it was "deil tak' the hindmost," or (as the proverb has it) the haggis was "gaen gear."

Other specially Scots dishes mentioned in the "Brydal" *menu* are caller nowt-feet, or ox's feet; powsowdie (sheep's-head broth), singed sheep's-heads—all no doubt formerly despised by the rich noble, and therefore regarded as very much the perquisite of the poor. Thus—

"A haggis fat,
Weel tottled in a seething pat,"

a sheep's-head with four black trotters, "guid fat brose," and—

* Snout.

"White and bloody puddins routh
To gar the doctor skirl o' drouth,"

constitute the bill of fare which Fergusson (who did not love the scorner of Scotland) would have provided for the banquet to Dr. Johnson given in the University of St. Andrew's in 1773. The soups at the "Brydal" feast were powsowdie, already mentioned, scadlips—hot water judiciously tempered with barley—and skink (no doubt made from the before-mentioned "caller nowt-feet"). Scotch broth, or kale (of which originally the principal ingredients were "knockit," or broken barley and kale: peas, onions, &c., being later additions and debasements"), is absent, only meal-kail being mentioned. Beef has no place at the banquet, and mutton appears only in the form of the "singit sheep's-heads" afore alluded to. In some counties—Fife, for instance—preparations of oatmeal and of kale—without beef—were for many years the main diet of the peasantry—

"When cog o' brose an' cutty * spoon
Is a' our cottar childis boon,
Wha thro' the week till Sunday's speal †
Toil for pease cods and gude lang kail."

But in more inland counties, such as Perth and Stirling, meat continued in more or less general use up to the present time, broth and beef being the ordinary dinner even of the farm servants.

Ancient Scottish cookery was specially distinguished by the excellence and variety of its soups. Of these it may suffice to mention three: to wit, hotch-potch, cockie-leekie, and specially fish-soup, compared to which last the greasy turtle-broth of London City is a gross and barbarous abomination. The roasting of beef or mutton was not common till times comparatively recent, boiling and stewing being the favourite methods, except (as France had dictated) in the case of fowls. Dr. Somerville states that in his early days there was no roasting-jack, but the spit was turned by one of the

* Short † Rest.

servants or by a dog that had been trained to manage a big wooden wheel. The essential difference between Scottish and English modes of dining is well exemplified in the story of an Aberdeen "baillie." This worthy, returning from a brief sojourn in London, was congratulated on his appearance. Resenting the impeachment with a certain bitterness he expressed surprise that it should be so, "for," quoth he, "deil a speen was i' ma mou a' the time I was awa'." Even in Fergusson's day, however, Scottish modes of dining had begun to be affected by English influences, and roast beef was fast winning to its present pride of place. With rather unpatriotic forgetfulness of the "warm-reekin'" richness of the "haggis fat, weel tottled in a seething pat," this poet, forsaking his native Doric, salutes the conqueror in the following mock-heroic strains:—

"Hail, Roast Beef! monarch of the festive throng,
To hunger's bane the strongest antidote;
Come, and with all thy rage-appeasing sweets

Our appetite allay; for, or attended
By root Hibernian or plum-pudding rare,
Still thou art welcome to the social board."

Burns, on the other hand, would

"Gie dreeping roasts to countra lairds
Till icicles hang frae their beards";

but as he adds in the same breath—

"An' yill an' whisky gie to cairds *
Until they scunner †"

the seriousness of his scorn is open to question.

* Tinkers. † Loathe.

VIII.

SCOTTISH INNS.

In Scotland the free and open hospitality which bespeaks a primitive condition of society survived much later than in the better civilised parts of Europe. With a hostile England on her southern marches, she occupied a situation peculiarly isolated from foreign influences. The establishment of trading communities was also sadly discouraged by repeated invasions from England, which confined commercial intercourse almost entirely to certain of her sea-coast towns. Even when no active hostilities were afoot her trade with England was extremely limited during the whole period anterior to the union. Thus, although the

Scot himself was known as scholar or soldier in many lands, it was but rarely that Scottish ground, except in the case of an English raid, was trodden of foreign foot. In Edinburgh and other cities frequented by the Court, a tincture of French elegance and refinement imparted a certain bizarre effect to the essential rudeness of the national habit; but even here the alien influence did not penetrate beyond a very narrow circle. The inland regions, sparse in population and devoid of trade, had scarce any intercourse with the towns—they were self-supporting and self-dependent. Travellers were mostly one or other species of beggar—pilgrims, poor scholars, friars, bards, minstrels, mountebanks, sorners; for, as the industrial part of the rural community enjoyed an absolute fixity of tenure, few of its members had friends or relatives at any distance from their own homes, while such wayfarers as were not beggars were chiefly nobles bound for the castles of their brethren, or for the great hunting gatherings which formed in

times of peace their chief occupation and amusement. The commonest resort for lodgings was either the guest-house of the monastery or the noble's mansion; accommodation and cheer being regulated by the qualities and conditions of the guests. Except in famine years, a rude abundance prevailed throughout the land until at least the fifteenth century; and as rushes, straw, fern, or heather were deemed sufficient and even luxurious bedding by the majority, the housing of strangers was attended with small inconvenience.

The earliest recorded instance of legislative interference on behalf of travellers is an Act of David II., in 1357. The accommodation to be secured by it must have been extremely rude and humble. It provided that in every burgh the sellers of bread and ale should "receive passengers in herbery within their houses," and sell them provisions at the prices enacted from neighbours. All such as refused full payment might be apprehended in the king's name

by "the community of the burgh," which was not to be held responsible for any injury inflicted on the defaulter during his arrestment (a very complete bill of immunity). The Act of James I. (1424) was more comprehensive in scope. It decreed that in burghs and thoroughfares hostelries should be provided with accommodation and food for man and beast; the intention clearly being the provision of better lodging and entertainment than could be had at the alehouses. As regards the opening of hostelries, the Act appears to have been effectual; the difficulty consisting in making them popular. In the following year the new-made hosts, having waited in vain for custom, presented a grievous complaint to the king against the "villanous" practice of travellers in putting up at the houses of their friends. All travellers on foot or a-horseback were thereupon prohibited from lodging elsewhere than at the inn, special exception being made in the case of those with large retinues, who, however, were

bound to send their followers and servants to the inn. But the ancient custom of free hospitality survived many such enactments, and, passing through long and gradual stages of extinction, died very hard. In the sixteenth century the "hosteller without the town" of Berwick-on-Tweed, in the eyes of the Scots author of "The Friars of Berwick," was "wonder good" (by contrast, no doubt, with those in Scotland proper); but it seems to have been seldom frequented for lodging, and the bed for the wearied friars was "intill one loft was made for corn and hay." There was an attempt to revive the old Acts regarding inns in 1567; but, so far as the general establishment of suitable hostelries was concerned, they continued to remain a dead letter for two centuries more. Fynes Moryson, in 1589, "did never see nor hear that they have any public inns with signs hanging out" (a picturesque feature of the English villages), "but the better sort of citizens brew ale, the usual drinke (which will distemper a

stranger's body), and the same citizens entertain passengers on acquaintance or entreaty." Plainly the attitude of the taverners towards strangers savoured somewhat of a supercilious independence. Eighty years after Moryson, Thomas Kirke testifies to an exactly similar state of matters. "The Scots," he says, "had not inns but change-houses (as they call them), poor, small cottages, where you must be content to take what you find." By this he meant that there was absolutely no choice of dishes in the *menu*. What he did find was "perhaps eggs with chicks in them and some lang kale; at the better sort of them a dish of chapped chickens" (probably cocky-leeky). As to the enticements of the latter delicacy, we may turn to Burt, who crossed the border in the year of grace 1725; only we must substitute pigeons—no doubt esteemed a special luxury—for chickens. "The cloth," says Burt, "was laid, but I was too unwilling to grease my fingers to touch it, and presently after the

pot of pigeons on the table. When I came to examine my cates, there were two or three of the pigeons lay mangled in the pot." In objecting to the "mangling" Burt does but betray the Southron benightedness; but the mark of "dirty fingers in the butter" was a touch he may be pardoned for failing to appreciate. It is but fair to add that, while the ineffable filthiness of the bed-curtains almost debarred him from making trial of his bed, he was agreeably disappointed to find—as he did throughout Scotland—that the linen was "white, well aired, and hardened." Dr. Somerville, a native Scot, testifies, some time after the experiences of Burt, that there was little improvement. In his youthful days "few inns were to be met with in which the traveller could either eat or sleep with comfort; and so ill-provided were they with the most necessary articles, that on a journey people used to carry a knife and fork in a case deposited in the side-pocket of their small-clothes." Glasses were so

scarce that a single one usually went round the whole company; and, as the said company was frequently very heterogeneous, it is plain that to fastidious persons, if any such there were, the act of drinking would not be one of unalloyed delight. The presiding genius of the change-house, or inn, was the ale-wife, or "brewster-wife," as she was called, who assumed a position of entire equality with her guests, and in taverns of the better class expected to be asked to take a glass of wine with them when that liquor was dispensed.

A century ago Edinburgh herself was no better off than the country districts in the matter of inns. In 1776, according to Major Topham, she had "no inn that is better than an alehouse, nor any accommodation that is decent, cleanly, or fit to receive a gentleman." In the "best inn in the metropolis" (situate in the Pleasance), the bare-legged waitress, in short gown and petticoat, informed him and his companion that "we could have no beds,

unless we had an inclination to sleep together and in the same room with the company which a stage-coach had that moment discharged." Information of a like kind is still sometimes given in the height of the tourist season to travellers in Scotland; but the arrangements at which the Major stood aghast were chronic and perpetual in the hostelry of the Pleasance: the old common guest-chamber of ancient times was still a fact. A glimpse of the Highland hotel of the period is afforded in Ramsay's "Scotland and Scotsmen of the Eighteenth Century." The original Highland innkeeper would appear to have more than vied with his Lowland brother in "pride, sloth, and dirtiness." Communications couched in terms with any semblance to command were resented as a serious breach of manners on the part of the visitor, the inn being regarded as the host's "own house." Thus a Southron lady, who had been too inconsiderate of the feelings of a sometime duniwassel, discovered, to her

dismay, that "both inkeeper and servants had disappeared on the eve of dinner." Possibly the traditional "Highland pride" still lingers within the precincts of a few Highland hostelries; and occasionally, at least, the "Highland hunger" is manifested in the bill.

IX.

VAGABONDS AND MINSTRELS.

THE "sorners and masterful beggars" against whom special proceedings were instituted by King James I. of Scotland in the first half of the fifteenth century, have their analogues to-day in the colonial settlements of Australia and New Zealand; and the presumption is that they were the product of similar social and economic conditions. Like the most of their modern cousins, the Scots "sorners" were ostensibly sportsmen; and, according to the Acts for their suppression, they were lords of "horses and hounds." The chances are they most abounded in districts where game

abounded also; but it is not unlikely that a favourite diversion was a border foray, and that, having thus acquired a distaste for the monotonies of husbandry, they had little other means of support, when forays failed them and the pungent delights of cattle-lifting were impossible, than that of "sorning" on the less romantic but more exemplary section of the community. Their practice was simply a prostitution of the traveller's privilege according to the immemorial rites of hospitality. It may have been coeval in origin with those rites, for abuse is nearly always coincident with use; but the growing scarcity of the necessities of life, while it made the visits of these ambiguous guests more and more unwelcome, tended also in a nearly equal ratio to multiply them. The Acts for the suppression of vagabonds and sorners must therefore be taken as indicating that by the middle of the fifteenth century increase of population had effected such a change in economic conditions that the ancient custom of free

hospitality was beginning to be a serious burden. By the Act of 1449 the horses, hounds, and other chattels of such as were convicted of being "sorners and masterful beggars" were escheated to the king, and the masterful ones themselves were to be held in ward until the king declared his will. In the same Act mention is made of persons "who made themselves fooles, who were not bards, or such-like runners about"; which feigned fools were evidently an inferior order to the "sorners," for they were dealt with much more summarily. If "any were found" they were to be "imprisoned or put in irons and detained as long as they had anything of their own to live upon, and after this was consumed," pursues the Act (with more of cruelty than grammar), "then their ears were to be nailed to the trone and cut off, and banished out of the country," and "afterwards if they be found in the kingdom they shall be hanged." In an Act of 1457, however, all "sorners, bards, masterful beggars, and feigned fools" are lumped

together as alike noxious and equally meriting the common meed of punishment.

These references to a class of mendicant bards are worth considering. The bard's position in the household of the Highland chieftain was recognised and honourable. Buchanan mentions that even in his day they were held in so great honour that in some districts their persons were accounted sacred and their houses sanctuaries; and that even when clans were at open war with each other the bards and their retinue were allowed to pass and repass at their pleasure. In Lowland Scotland the place and prerogative of the bard's vocation are more obscure. George Martine in his "Reliquiæ Divi Andreæ" (1683) makes mention of a class of beggar-bards called "Jockies," who in his time wandered the country through reciting "sloggorne or war cries." When he wrote there were said to be not more than twelve of them "in the whole isle," but at one time they had been much more nume-

rous. It has been conjectured that the *sloggorne* they recited were "fragments of Ossian"; but even learned St. Andrew's, where five were in the habit of convening in Martine's time, had scarce the training and accomplishment necessary for the appreciation of the wild cadenzas of a Celtic chant of battle; while as for the benighted Lowlands in general it is to be feared that if Celtic tarmagants with tag and tatter had there essayed to "roup and rook" in Ersch their Ossianic *sloggorne*, their only *largesse* would probably not have differed greatly from that with which Mahoun requited the "clatter" of the Highland contingent in the nether regions:—

> "The Devil sae deaved was with their yell
> That in the deepest pit of hell
> He smorit them with smook."

Is it an altogether unreasonable supposition that this periodical bardic confabulation at St. Andrew's bore some remote and traditional reference to the city as an

ancient and renowned seat of learning and the arts? May not the custom have originated in a sentiment of regard on the part at least of some of the earlier among these minstrels for their *alma mater?* Possibly none of Martine's twelve—when the mystery was decayed and moribund—had any real tincture of college training; but that some disciples of learning did not disdain this method of getting their bread may be concluded from the mention, in the Act of 1578 for repressing vagrants and minstrels, of "vagabond scholars of the Universities of St. Andrew's, Glasgow, and Aberdeen, who were not licensed to ask alms by the Rector and Dean of Faculty."

Much of the earlier poetry of Scotland was undoubtedly the work of beggar-bards. Such an one was Blind Harry himself, who, according to John Major, by reciting "in the presence of men of the highest rank" the verses which composed his "Book of William Wallace" "procured, as he indeed deserved, food and raiment." The earlier

Scottish kings, too, retained their peculiar poets; and Barbour records that in his day the border minstrel was a personage; so that it seems by no means improbable that to wandering minstrels—Miltons not mute but only inglorious—we are indebted for most of the matchless ballads tradition has preserved. True the bard is ostensibly treated with scant respect in the Act of 1457, being classed with sorners and feigned fools; but the key to the interpretation of this Act is to be found in another (1449), in which he is by implication excepted from punishment, only fools "who were not bards" being described as amenable. But after all some of the heroes of the ancient border ballads—as Cockburn of Henderland, whose fate is bewailed in the "Lament of the Border Widow," and Johnnie Armstrong of Gilnockie—were little better in the eye of the law than "sorners and masterful beggars"; and it seems beyond doubt that the border rievers, even if they did not keep their own special bards to beguile the

tedium of their idle hours, yet bestowed on them substantial patronage and protection. There is, however, clear evidence that even at a later period the vocation of bard or minstrel was not only deemed lawful, but held in high esteem. An Act passed in 1471 granted them, with knights and heralds, permission to be habited in silks; and more than a century after this (in 1574), while Highland or Irish bards or beggars were prohibited from being received in the Lowlands, minstrels, songsters, or tale-bearers, in the service of a lord of parliament, a great baron, or a burgh, were specially excepted from the penalties decreed against vagabonds. Yet this Act probably indicates the beginning of the end. General protection was practically withdrawn from them, and above all the age of chivalry was now no more. Individual lords or barons might for a time retain their own special minstrels, but the artless art of the ancient balladist was lost beyond revival.

X.

BEGGARS.

While James I. of Scotland on the one hand took active and vigorous measures for the repression of sorning and every other form of mendicity on the part of all that were able to work for their living, on the other he introduced regulations which conferred on mendicity a repute to which it could not before pretend. True it is that from time immemorial pilgrims had been in the habit of living on the alms of the faithful, and that the Church, too, recognised an order of mendicant friars. But these cases were anomalous and peculiar: both friars and pilgrims chose the life upon religious grounds. That of beggar

students and candidates for the ministry was not dissimilar, for these, too, had chosen what was regarded as a high, unworldly vocation, and to entertain them as guests was generally regarded as an honour and a privilege. But by the Act of 1424 general mendicancy—only tolerated till then—was recognised in the case of qualified persons as a lawful and laudable profession. Virtually the Act permitted all not between the ages of fourteen and seventy to beg in town and country; and, moreover, it instituted, under the countenance and patronage of the local authorities, an order of beggarhood for such as from physical or mental defects were unable to earn a living by any other means. Such persons might be enrolled on application in landward districts to the sheriffs and in towns to the baillies. The most patent and irrefragable qualification was blindness, but the claims of lameness, if complete enough, and of half-wittedness, if sufficiently decided, were readily acknowledged;

those who passed the test receiving a gaberlunzie, or beggar's badge, which conferred the license to ask alms of all and sundry, and the privilege of pursuing their calling not only without molestation but with every prospect of success. Possibly at first comparatively few found it necessary to take advantage of the Act, for in Edinburgh at least tokens do not appear to have been issued to beggars till 1502, and then only to prevent the increase of pestilence by the influx of strangers. After the Reformation the distribution of gaberlunzies was undertaken by the Kirk-sessions which generally made it a *sine quâ non* that the receiver should be a communicant; and as by a clause in the Act of 1424 it was charged that all non-licensed beggars should work for their bread or be burned in the cheek and banished the kingdom, the result was that the Kirk not only invited but compelled into her fold all "the halt the lame and the blind."

In addition to the order thus established

throughout the kingdom, the king and (probably in emulation of the royal example) many of the nobles extended authority and countenance to a special body of beggars called bedesmen. The king's bedesmen were as many in number as the king was years old; every Maundy Thursday they assembled in his presence, when their feet were washed by his own royal hands, and they received a new outfit for the year, including a blue gown, a wooden cup and platter, a leathern purse, as many pennies or shillings Scots as he was years old, and a pewter badge with the words "Pass and Repass"; they were the aristocracy, the high dignitaries, of the craft; their career, while much less toilsome and anxious, was probably much more lucrative than of most in the learned professions; and no doubt the rank and file of beggardom, recognising the honour and glory thus shed upon their calling, regarded the possessors of its prizes with the mingled envy and admiration customary in other profes-

sions. And as the calling, being thus explicitly recognised as honourable, must certainly have included many very worthy and honest suppliants—many persons held in general respect—the community seems on its part to have co-operated with the very spirit of the law, and to have ministered to the needs of legalised mendicants with ungrudging cordiality and cheerfulness. This may be inferred even from such pieces of poetical satire as "The Gaberlunzie Man" and the "Jollie Beggar." The "pauky auld carle" who "cam o'er the lea" was ensconced in a comfortable "place ayont the ingle," where he "cadgily ranted and sang," and so thoroughly established himself in the good graces of the daughter of the house that she fled with him ere morning; while the punctiliousness of the Jollie Beggar in the selection of a bedroom appears to indicate that a certain choice as to quarters—humble though they were—was both claimed and allowed.

The institution of a licensed order of

mendicancy seems to have been necessitated by the Church's neglect of her duties to the poor. In "The Dream" Sir David Lindsay makes the misuse by the prelates of the patrimony of Holy Kirk—

> "The third to be given to the poor is,
> But they dispersed that gear all other gatis
> On carts and dice, on harlotry and houris"—

one of the causes of their "punition" in hell. Knox, too, wrote a satirical "Beggars Summonds" to the friars to quit the "great hospitalis," which properly belonged to the poor. Dated "Fra the haill Cities, Towns, and Villages of Scotland the Fyrst Day of January, 1558," it was couched in the name of "the Blynd, Cruked, Wedowis, Orpheilings, and all other Pure, sa viseit Be the Hand of God as may not worke."

At the Reformation the Kirk adopted various measures of relief which tended to decrease the necessity of begging; but, apart from its gainfulness, the calling had the recommendation of independence as well

as that peculiar charm which attaches to adventure. By this time, too, the custom had struck so deep that it could not be at once eradicated. Not only so, but in spite of the restrictions that hedged the calling off, it was impossible to restrain the majority of those in difficulties from sharing in its benefits. The severest enactments were passed from time to time against unlicensed mendicancy, but they were practically of no avail. One permitted the detention of strong and masterful beggars as slaves; by another they could be seized and employed in manufactories; a third constrained them to toil in Government mines; provision was made for their chastisement by the special erection of correction houses; a stricter supervision of the poor was enforced in every parish; an endeavour was made to contrive a better system of police. But mendicancy went on flourishing more lustily than ever, and shortly before the union attained to proportions practically unmanageable. After the union it began to

decay; but the professional beggar continued to ply his trade well into the present century, and the order of king's bedesmen was only abolished in 1833.

The national manna was the customary alms, and the "mealpowk" which figures in the poem of "The Jollie Beggar" remained the mumper's main equipment through the ages. Seldom did it happen, even when times were hardest, that he went empty away from the poorest door; and in the villages, so late as fifty or sixty years ago, it was still the householder's duty to minister to the blind beggar's needs, and pass him on from neighbour to neighbour until he had made the round of the place. He sold his meal to a dealer, and he was able to fare sumptuously in such haunts as "Poosie Nancie's" on the proceeds. In the country he was generally certain of a substantial supper in the farmer's kitchen and a comfortable bed of straw in the farmer's byre; and in many districts this tradition of hospitality lingers still. But

the picturesque and venerable blue-gown, the carted cripple with his team of dogs, the half-witted ballad-singer in his faded fripperies—all these have long since gone their last rounds and passed from Scottish scenes. Perhaps their absence is no matter for regret; but has the problem of relief for the deserving poor been solved in such a way as makes the extinction of lawful beggary a theme for unmingled congratulation?

XI.

THE BORDER RIEVER.

The reason why the border riever was generally a Scot is chiefly geological: England being a level country was easily robbed, while southern Scotland, with its hills and dales, its ravines and morasses, at once rendered the work of spoiling difficult, and afforded to the native riever good hiding and safe shelter. In the palmy days of freebooting the Borderer was an ideal robber. Unsurpassed in daring and artifice he was thoroughly respectable as well—as respectable and even pious as the border yeoman of to-day. It was reputed of him that he never said his prayers more fervently nor told his beads with a more devout recur-

rence, than when his thoughts were also turned towards a contemplated quest for booty. Nor was the ardour of his devotions in any degree affected by a secret consciousness of wrong-doing. He had no such consciousness. He knew not of hypocrisy. The intricacies of moral dialectics were beyond his understanding. His code, if not specially refined or exalted, was neither subtle nor complicated, and he adhered to it with strict and conscientious loyalty. He made no pretence of being aught else than a riever. He knew of no calling or profession to be esteemed so highly; he could conceive no prouder ambition than to excel in it.

Originally he was rather warrior than thief—his booty was spoil from an enemy. Yet he was not an enthusiastic patriot. In his heart of hearts he may well have cared nothing for country and king. He had small reason—he owed little to one or other. When the Southron armies wrought havoc in the Scottish dales he was left their first

prey; he received from country and king neither defence nor compensation. He had to rely on his own strategy and skill for safety and subsistence, so that he became a law unto himself and fought for his own hand. Except for the aid he was only too willing to render in the wars against England, the border chief claimed entire independence of action, and he even aspired to a certain joint sovereignty with the Scottish king. Thus the minstrel of Johnnie Armstrong:—

> "When Johnnie cam before the king
> Wi' a' his men sae brave to see,
> The king he movit his bonnet to him,
> He weened he was a king as weel as he."

Properly to gauge his character it must be recognised that circumstances made robbery compulsory—on other conditions or by other means it was impossible to live. "Since in time of war," wrote Bishop Leslie, "through invasion of enemies they are brought to extreme poverty; in time of

peace the ground, albeit fertile enough, they utterly contemn to till, fearing that shortly the wars oppress them. Wherefore it comes to pass that they seek their meat by stealing and rieving." In the beginning their victims were chiefly the English; but, the thieving habit once acquired, they soon came to the conclusion that it mattered comparatively little whether they thieved from Southron or Scot. In a word, they were Fabians with the courage of their convictions: they were "persuaded that all the goods of all men in time of necessity, by the law of Nature, were common to them and others." At the same time these primitive Socialists were unfretted by that blood thirst which (theoretically) characterises so many propagandists of Socialism. They abhorred the shedding of blood except in time of actual war, and conceived that not even for the necessities of life would they be justified in the slaughter of Englishman or Scot. They had, therefore, to substitute skill and sublety for force, and

they achieved such a perfection in the art of thieving as has never perhaps been paralleled. In their case, indeed, you have a much more striking illustration of conscientious perseverance and its triumph over adverse circumstances than any recorded in the irreproachable books of Dr. Smiles. The adaptation of means to ends was consummate. In its absolute simplicity of construction—its sagacious regard to essentials and its rigid rejection of the superfluous—the border peel was a veritable architectural triumph. The aboriginal peel was wholly of earth, and, being completely fireproof, could be destroyed only at the cost of more labour than the task was worth. Those of stone—intended chiefly for defence—were a later invention, the most of them being put up in accordance with an Act of 1535, which provided that they should be "threescore futis of the square, ane eln thick, and six elnes heicht." The primal peel was not intended for defence, and was absolutely unfurnished, nothing being left in it either

to take or to destroy. "If they but have a swift horse," says Leslie of the peel-dwellers, "and whereto they may dress themselves and their wifes, they are not meikle careful for the rest of the household gear." Even the common domestic utensils were a-wanting, the only piece resembling a pot or pan being a "broad plate of metal" used for baking the oaten cake. The riever grew no vegetables, nor had he store of ale or wine. His diet, alike at home and on the march, was veritably Spartan. He boiled his meat in the paunch of its original wearer; he baked the oaten cake, which served for vegetables and bread alike, on the "broad plate of metal" slung at his saddle-bow; yet he cherished no disdain towards milk and cheese if they were on hand, and for the nonce could dine contentedly on sodden barley. It was chiefly this rigid simplicity that made him invincible. He laughed to scorn both Scots attempts at repression and English endeavours at revenge. When the need-fires warned him

of the coming of armed hosts he leapt into the saddle, and with his children in front of him and his wife at his stirrup made off to the hills or to the woods. If the enemy approached his lair he took to the moss, and led him a wild-goose chase from which he was lucky if he escaped with a ducking. Unlike the Highlander, he was always a rider. An absolute knowledge of every peculiarity of hill and dale and stream far and near was an essential accomplishment. Having made his way unseen to the near neighbourhood of a byre or field of cattle he lay in hiding till dark, seized his booty in the dead of night, and made off with it along a line of retreat so adroitly contrived that pursuit was well-nigh hopeless.

His moral standard was defective; but he possessed in high perfection many noble and manly qualities modern business methods are not conspicuously successful in developing. In bodily hardihood he was unsurpassed, and none could bear the "stings and arrows of misfortune" with

a calmer or more constant heart. He had also his own code of honour, which was never broken. Unless in revenge of injury he was guilty of no wanton wrong. To family and kindred his devotion was undying, and to all—friend or foe—his promise was inviolate. It may be, too, that his methods were not inherently more dishonest than many of those tricks of trade the law winks at and the tame Briton endures. What was best in his mode of life is mirrored in the spirit, the fire, the wild pathos of the ballads he inspired; and most assuredly the generous and heroic must have predominated over the mean and selfish elements in a mode of life which could inspire such genuine and affecting strains.

XII.

THE CATERAN.

The original *rôles* of Saxon and Celt in Scottish history cannot now be exactly determined. The annals of these early centuries are meagre, and perplex more than they enlighten. At first the Celt had probably the advantage of a superior civilisation, but it was apparently incapable of expansion and development. His romantic and rigid attachment to ancestral habits made him unfit in the long run to cope with the prosaic but practical Teuton. How far he held his own in the Lowland regions as regards the mere possession of the soil is one of the puzzles of history; but here at least his individuality, alike as

regards language, customs, and institutions finally succumbed to the influence of alien races. South and east of the Grampians the Celtic civilisation became extinct; but the wild and savage region behind—difficult of access and presenting no temptation to colonist or raider—remained the inviolate home of a race which retained its purity of descent and its primitive civility for ages.

Scenery, climate, and the rigour of his surroundings no doubt in the long run stamped their impress on the character and habits of the Celt as on his physical frame; but if they affected his barbaric peculiarities it was chiefly to accentuate and confirm. In the world beyond his mountains he had nor lot nor part. Dim echoes of its movements, of its wars and revolutions, may have reached his reclusion, but they were soon forgotten as "a tale that is told"; the seas brought him neither braveries nor emasculating comforts; the busy industries, the material wealth of the

Sassenach, he held in scorn; his faint contact with the arts of modern civilisation only caused him to cling more fondly to his pristine usages. But his mode of life had at least the merit of untainted simplicity. In diet, habit, and house he—as Buchanan, Leslie, and Lindsay of Pitscottie testify—observed "the ancient parsimony." True, in some districts the rule of the nobles had partially broken up the clan system when these authors wrote, but even then there were regions under nominal rule of the nobles where it flourished in as full vitality as ever. Wild herbs eaten raw, oatcakes baked on the immemorial "Graedeal," game or fish cooked in savage fashion in the ashes, were the customary diet. In Commissioner Tucker's report in 1656 the district north and west of Dumbarton Fyrth (the Firth of Clyde) is described as still inhabited by the "Old Scotts or Wyld Irish and speakeing theyr language, which live by feeding cattle up and downe the hills or else fishing and fowleing, and for-

merly, till that they have been of late restrayned" (by the energetic rule of Oliver), "by plaine downright robbing and stealeing." Over this wild region the Commissioner found the collecting of excise duties practically impossible. But in truth, so far as liquor was concerned, the proceeds of the excise would have been insignificant enough. Unlike the Lowlander, the Celt was not a drinker of ale. His chief liquor was water from the running brook, milk being something of a luxury, while usquebagh was reserved chiefly for occasions of ceremony and rejoicing.

To eke out the supplies from his native hills the Highlander, as above recorded, had recourse to "creaghds," or cattle-raids. In the case of certain of the wilder clans cattle-raiding was in truth almost the only industry. Herein the fierce delights of feud or battle being intermitted, the warrior instinct of the cateran discovered a certain mild excitement. To spoil the Sassenach was also an unalloyed pleasure

in itself, and afforded some solace for the loss of the Lowland straths and the fair and fertile lands beyond Clyde and Tay. But the habit of raiding did not contaminate or lower his general morality. Apart from this inveterate eccentricity his honesty, except perhaps in degenerate modern times, was proof against well-nigh any possible temptation. Of personal robbery he was incapable; and a stranger was probably as safe from violence or wrong in his domains as in a Quaker settlement. The chief Sassenach movables which found favour in his eyes were sheep and cattle; but he limited his raiding to the latter. In his code of honour the lifting of sheep was a despicable crime; for sheep were held in peculiar, in almost sacred, estimation on account of their wool, and even in appropriating kine it was incumbent on him strictly to observe the ancient methods. The larceny was permissible only on the order of the chief. And while lifting was a noble and highly-respected vocation, the

cateran could not condescend to the meanness of purloining merely one head of cattle singly: this would have made him kin to the common thief, and such kinship he rejected with scorn. "Common tief! common tief! steal one cow, twa cow, dat pe common tief! Lift hundred cow, dat pe shentleman's drovers."

Like the Redskin brave, the cateran contemned all toil but that associated with war or the chase; he held in honour no craftsman save the maker of arms: all other arts were appropriate to women or Sassenachs or slaves. Yet he could scarce be charged with listlessness or sloth; he spared no pains to develop his muscular strength and to acquire true cunning in the use of his several weapons—bow, broadsword, dirk, and poleaxe. As he avoided servile toil, his apparel and his domestic arrangements were severely primitive. The belted plaid, originally his only garment (trews were an effeminate surrender to climate) was practically a savage mode;

for the tailor was such an anomaly in old Celtic life that the latter-day Highlander could never allude to him but with stereotyped apology. And the plaid, as it was the cateran's chief raiment by day, was also his covering by night. His bed was the heather, and even in wild weather the sky was often his sole canopy. When the stern colds of winter forced him to seek the shelter of his turfs he arranged the heather brush uppermost, so as to make him a soft and warm couch. The hut, with its beds of heather and its hearth in the centre surrounded by circular stones, was primarily the abode of wife, family, and domestic animals; himself was accustomed to dine in the great hall of his chief, and here he commonly spent his evenings listening to the stories and songs of the bard or sharing reels to the music of the pipes.

The government of the clan was strictly patriarchal, and to this must be ascribed the strong and sacred character of the clan

sentiment. The bard (who was also the genealogist and historian) was held in peculiar honour. Originally, as in Ireland and Wales, he recited to the strains of the harp—in use in the Scottish Highlands as late as the sixteenth century. But gradually bard and harp succumbed to the bagpipes, proficiency whereon was held of such importance that special colleges were established for instruction in pipe-music under famous masters. Yet the bagpipe, it need scarce be said, is not exclusively a Celtic instrument. Possibly it may have been a legacy of the ancient Britons, and at any rate the suspension of its use in the Lowlands can be clearly traced to the interference of the Kirk-sessions on account of its association with dancing. In the Highlands its triumph over the harp appears to have indicated the decay of the clan sentiment. The tales and songs of the bard were of the past, and to the cateran the past had been much greater than the present was or the future could be. Dis-

guise it as he might, he was subject to the Sassenach: the glories of his race had vanished; the old victories could be no more. In all likelihood the recitals were saddening rather than joyous in effect; and it may well be that the dance was gradually preferred because it helped the cateran to forget his griefs. At any rate, while the harp is now mute in every Highland hall the shrill music of the pipes has gained rather than lost in power to animate and enrapture the descendants of the clansmen.

XIII.

KIRK DISCIPLINE.

The Reformed Kirk of Scotland claimed the right to exercise absolute authority over conduct down to the minutest details. While it abolished the confessional, it none the less aspired to regulate not merely the outward acts, but even the inmost sentiments and beliefs of every member of the community. It assumed the entire moral charge of the nation individually and collectively; and the only possible means of escape from the rigours of its discipline was by the extreme expedient of committing a capital crime. "Blasphemy, adultery, murder, perjury, and other crimes capital worthy of death

ought not," says the First Book of Discipline, "properly to fall under censure of the Church," and this for the very sufficient reason that "all such open transgressors of God's laws ought to be taken away by the civil sword." The Kirk had done with them, and therefore required of the State that they should be "taken away." Every criminal—or rather sinner—who had not earned the right to be "taken away by the civil sword" was primarily answerable for his conduct to the Kirk authorities. The crimes specifically mentioned in the Book of Discipline as "properly appertaining to the Church of God to punish the same as God's Word commanded" were "drunkenness, excess (be it in apparel, or be it in eating or drinking), fornication, oppression of the poor, by exaction, deceiving of them in selling or buying by wrong weight or measures, wanton words, licentious living tending to slander." The list is pretty comprehensive, but it is rather illustrative than exhaustive. The Kirk had no com-

plete and definite criminal code, as regards either specific acts or their punishment, the distinguishing characteristic of her criminal law being an extreme flexibility in the direction of inclusiveness and severity. Practically any act, whether public or private, of any individual, whether gentle or simple, became a crime if the Kirk-session of his parish thought fit to make it so. A similar flexibility also characterised her criminal procedure. Mere suspicion was frequently sufficient to place a person under the ecclesiastical ban for years, if not even for life. No strict laws of evidence were adhered to, but almost no method of obtaining evidence was too despicable to be rejected. Gradually the Kirk developed a system of espionage, which while much more harassing than the old confessional was quite as inquisitorial. Every form of transgression, no matter how trivial, with every omission of religious duty, was searched out by elders and reported to the Kirk-sessions.

These detectives were told off to attend fairs and races, and report on the conduct of those who frequented them; and, like the skeleton at the feast, their unbidden presence damped the spirits of the most jovial at every wedding and merrymaking.

None were permitted to claim exemption from surveillance. "To discipline," decreed the inexorable Book, "must all the estates within this realm be subject if they offend, as well rulers as they that are ruled." "The inviolable preservation of God's religion," wrote Knox, in his *Exhortation to England*, "requireth two principall thinges: the one, that power nor libertie be permitted to any, of what estate, degre, or autoritie that ever they be, either to lyve without the yoke of discipline by God's Worde commannded; either yet to alter, to change, to disanull, or dissolve the least one jott in religion, which from God's mouthe thow hast receyved." "And," he furthur adds, "as touching execution of Discipline, that must be done

in everie citie and shire where the magistrates and ministers are joyned together, without any respect of persons; so that the ministers, albeit they lack the glorious titles of Lordes, and the develish pompe which before appeared in proude Prelates, yet must they be so stowte, and so bolde in God's cause, that yf the King himself wolde usurpe any other autoritie in God's religion, then becometh a membre of Christ's body, that first he be admonished according to God's Worde; and after yf he continue the same, be subject to the yoke of discipline." The special aim of the Kirk was to establish in England and in Scotland a theocracy modelled after that of the ancient Jews, with, however, this difference, besides others, that sacrifices and ceremonies were to be superseded by catechisms and confessions. The result was in Scotland—for England, notwithstanding Knox's prophetic warning that it would not "escape vengeance, which is already prepared for the inobedient," could

not be induced to make the experiment—a wildly exaggerated travesty of a form of government in itself entirely alien to the genius of Europeans. The Kirk's authority was deemed to be coextensive with the nation. Her pretensions were quite as arrogant as those of Rome, and they were much more rigidly insisted on. To plead non-membership of the Kirk, and decline attendance on its ordinances, was simply to incur its implacable attentions; and should these prove ineffectual of repentance and submission, forth came the dread edict of excommunication. The obdurate refractory was delivered over to Satan, not in the merely formal fashion of to-day, but in as literal and practical a sense as mundane authority could achieve. He was supposed to be actually given "into the hands and power of the devil"; he was declared to be "accursed," and "all that favour the Lord Jesus" were required so to "repute and hold him." The effect of this was a system of "boycotting" so in-

defatigable and relentless that no choice was left but an unconditional surrender. If the impenitent were a servant no master might employ him. If he were a master no servant durst minister, on any pretence whatsoever, to his direst necessities; none might give him food, drink, or shelter; his nearest and dearest were debarred from offering him the offices of friendship or even showing him common courtesy; he became incapable of holding any form of property; his enemies might do with him as they listed without let or hindrance.

In Scotland excommunication was much more terrible than mere outlawry. Powerful nobles frequently defied the king with comparative impunity, but they could not so defy the Kirk. How prodigious was the force of her anathema, and how vain even for the strongest to contend against it, might be illustrated by many examples; but it may suffice to cite the cases of the first Marquis of Huntly, the ninth Earl

of Errol, and the fifth Earl of Bothwell, all occurring during the rule of James VI., and at a time when the Kirk was by no means at its meridian of power. Huntly, a Catholic by conviction, to escape the terrible results of excommunication, more than once came under solemn covenant to observe the ordinances of the Kirk and even to communicate. Errol, less amenable to menace or persuasion, incurred in 1608 the penalty of £1,000 for absenting himself from communion; was enjoined to confine himself within the bounds of the city of Perth for "the better resolution of his doubts"; and being ultimately found "obstinate and obdured," was excommunicated, and laid in close durance in Dumbarton Castle. As for Bothwell, being long the special champion of the Kirk, he was able with its countenance to defy the displeasure of King James, but having mortally offended the clergy he came under the ban of excommunication, and had not only to put a final term to

his alarums and incursions, but to depart the country and to spend the closing years of his life in penury and exile.

The secret of the Kirk's authority rested in her prerogative of excommunication; the curious blending of spiritual malediction with temporal tyranny in her anathema enabling her virtually to usurp the authority of the kingdom. With such a tremendous weapon in reserve, too, she could afford to be comparatively lenient in her other modes of enforcing obedience; but the mildness of these subsidiary methods was more apparent than real. Their seeming lenity was greatly qualified by comprehensiveness of application, and by the Kirk's persistent importunity. Even attendance on religious ordinances was made to assume a disciplinary form, everything being excluded fitted to render the services attractive to the natural man. While also regularity of attendance was imperative, wakefulness during services, however prolonged, was enforced by a variety of devices

more ingenious than refined; and this was supplemented by periodical examination of every citizen, whether communicant or not, to test doctrinal soundness and progress in religious and theological acquirements. No assumption of dulness or stupidity exempted from censure; for while great patience and forbearance were manifested towards weak-minded devotees, such persons as manifested any intelligence and ability in the daily duties of life were handled with the sternest severity if at all backward in the acquirement of that knowledge and those convictions essential to fit them to take their place as communicants. "Everie maister of houshald," so was it decreed in the Book, "must be commandit eathir to instruct or ellis caus be instructed his children servandis and familie in the principallis of the Christiane religioun" [as understood by the Kirk]. And again: "Such as be ignorant in the Articulis of thair Faith; understand not, nor can not rehearse the Commandimentis

of God; knaw not how to pray; neathir whairinto thair richtuousnes consistis, aught not to be admitted to the Lordis Tabill. And gif thay stuburnlie continew, and suffer thair children and servandis to continew in wilfull ignorance, the discipline of the Churche must proceide against them unto excommunicatioun; and than must the mater be referred to the Civill Magistrat. For seing that the just levith be his awin faith, and that Christ Jesus justifieth be knawledge off himself, *insufferable we judge it that men shall be permitted to leve* and continew in ignorance as members of the Churche of God." Thus the Kirk virtually menaced death against all who refused her yoke of intellectual and moral bondage. It must also be remembered—though this may appear something of an anticlimax—that at stated intervals, as well as on special occasions, there were enjoined on all alike such fasts as did actually and literally occasion the severest qualms; and that this torture was in-

geniously augmented by exposure to a prolonged series of exercises austerely diversified with exhortation and rebuke.

The system of public discipline introduced by the Kirk for actual transgression was to some extent a revival of an old Catholic custom which had fallen into desuetude; but it was characterised by the same bald and bare austerity that distinguished the Presbyterian ceremonials. Whatever be said of certain modes of Catholic discipline there are few, if any, that verge on the ridiculous, while there are some (as that of pilgrimage) that are touched with a certain beauty and romance. By her contempt for ceremonial, her dread of what she deemed to be idolatry, and her rejection of art, the Scottish Kirk necessarily deprived herself of a powerful means of kindling the imagination of her penitents. Nearly all her modes of discipline were informed with a certain grotesque and awkward strain which tended to provoke the laughter of far other than the mere

ribald. The small delinquencies were commonly visited with admonition, and the formal admonition of adults in a public assembly is apt to seem more or less childish and pedantic. But the chief disciplinary instrument was what Burns calls the "creepy chair." There were two varieties—a high and a low; promotion to the more conspicuous depending upon the flagrancy of the offence. The professed penitent remained on the stool all through divine service, the presence of the congregation at worship being supposed to lend solemnity and severity to the chastisement. Usually the offender was clad in a "harn gown" (the *San Benito* of the Presbyterian Inquisition), and various other signs of opprobrium might be attached at discretion. Thus the discomfort of special offenders was further enhanced by the application of the branks—a vile contrivance in iron plates, whose chief function was to serve as a gag; and in the case of males the head was sometimes shaved.

For minor trespasses—as scolding, quarrelling, abstinence from church, violation of the Sabbath, playing at cards, and so forth—the usual punishment was confinement in the joug, an iron collar attached to the outer walls of the church. This discipline was administered only on Sundays, but might be continued from week to week in succession. A not uncommon alternative was fining. Sometimes the defaulter was held in bondage for long periods in the kirk steeple; or the specially obdurate might be banished the parish, or delivered over to the magistrate to be scourged or burned on the cheek. In extreme cases ducking in pools notoriously foul and rancid was also practised, some of the more enterprising Kirk-sessions equipping themselves with a special apparatus for the purpose.

During Knox's supremacy the ideal system of Kirk authority expounded in "The First Book of Discipline" was undoubtedly in full sway. The principal members of the

nobility subscribed the book; the Privy Council of Scotland gave it their sanction previous to Mary's arrival from France; and although the Queen herself naturally declined to ratify it, the absence of her imprimatur rendered it no whit less operative. The Regent Morton was the first to take a decided stand against the clerical claim to absolute rule, one of the main aims of his policy being the subordination of Kirk to State. As a flagrant instance of the Regent's opposition to the execution of discipline, the Kirk historian, Calderwood, narrates that "Robert Gourley, an elder of the kirk of Edinburgh, was condemned to make his public repentance in the kirk of Edinburgh upon Friday, the 28th May, for transporting wheat out of the country. The Regent being advertised, answered for him when he was called upon to utter his confession, and said openly to the minister, Mr. James Lowsone, 'I have given him license, and it pertaineth not to you to judge of that matter.'" This example, of course, rather

illustrates the comprehensiveness of the spiritual prerogative claimed by the Kirk than the pretensions of Morton; but if all tales be true, Morton once gave much more startling evidence of the scant respect in which he held her discipline, for he is said to have actually caused one of her clergy to be first tortured and then hanged for daring to rebuke him for adultery. This was taking the bull by the horns; for had the charge of adultery been sustained, himself, according to the "Book of Discipline," had been liable to the extreme penalty of death. But while as a private individual he had incurred the Kirk's severest condemnation in more ways than one, it was as a ruler that he had contrived to give her especial offence. He seriously crippled her pecuniary resources, and he studiously refrained from carrying out her special behests. Though "often required," says Calderwood, "to give his presence to the assembly and further the cause of God, he not only refused but threatened some of the more

zealous with hanging, alleging that otherwise there could be no peace or order in the country." But in the end the Kirk was victor; for it was chiefly owing to his rash defiance of her that Morton was driven from power and was visited by the doom with which he had menaced her froward representatives.

Under King James the Kirk was shorn of much of her ascendancy, alike in matters temporal and matters spiritual; but on one important point of discipline the harmony between Kirk and king was without jar or discord. Both were equally exercised by and alarmed at the extraordinary manifestations of Satanic enterprise revealed in the presence of sorcery and witchcraft: James, because personally he greatly dreaded the application of witchcraft against himself; the Kirk, because it discerned in it a special attempt on the part of Satan to overthrow its own dominion. Thus the chief result of the interest aroused in the community by the wonders recorded in the Jewish Scrip-

tures, joined with the indefatigable attention the Kirk had seen fit to consecrate to the politics of the nether world, had been a sort of apotheosis of perhaps the most gruesome and repulsive of all superstitions. Of its astounding influence in depraving the popular imagination, the grave narrative of the Kirk historian, Calderwood, supplies a characteristic example. "In the moneths of November and December" [1590], "manie witches were taikin: Richard Grahame, Johne Sibbet, *alias* Cunninghame, Annie Sampsone, middewife, Jonet Duncan in Edinburgh, Eufame Makcalzeane, daughter to umquhile Mr. Thomas Makalzean, Barbara Naper, spous to Archibald Dowglas of Pergill, Jonet Drummond, a Hieland wife, Katherine Wallace. They conspired the overthrow of the king and queen's fleete, at their returne out of Denmarke, by raising of stormes upon the seas. Sindrie of the witches confessed they had sindrie times companie with the devill, at the kirk of Northberwick, where he appeared to them

in the likenesse of a man with a redde cappe, and a rumpe at his taill, [and] made a harangue in maner of a sermoun to them; his text 'Manie goe to the mercat, but all buy not.' He found fault with sindrie that had not done their part in ill. Those that had been bussie in their craft, he said, were his beloved, and promised they sould want nothing they needed. Playing to them upon a trumpe,* he said, 'Cummer goe yee before; cummer goe yee,' and so they daunced. When they had done, he caused everie one, to the number of threescore, kisse his buttocks. Johne Gordoun, *alias* called Graymeale, stood behind the doore, to eshew, yitt it behoved him also to kisse at last. John Feane, schoolemaister of Saltprestoun, confessed he was clerk to their assemblies." Thus it would seem that the weird conventions of the wicked were closely modelled after the assemblies of the Kirk down even to the preparation of an authoritative record of their desperate purposes

* Jew's-harp.

and pactions. The craze had indeed achieved a rankness of growth and a virulence of habit without parallel in the world's history; and the zeal displayed by the king in seconding the Kirk in her attempt to suppress the traffic with Satan and shield the prey of Satan's minions from calamity, went far to reconcile her to his lukewarm support in other fields of activity.

The breach between the Kirk and king did not become irreparable till the time of Charles I. The policy of Charles can scarce be defended, but it is at least as defensible as the policy of the Kirk. His aims were not one whit more tyrannical than hers; intrinsically they were less so, for they had to do merely with "tithes of mint and anise and cumin," while she concerned herself chiefly with the "weightier matters of the law." If the king endeavoured to interfere unduly with her forms and ceremonies, her persistent ambition was to subdue both king and people to her authority. Thus she would have the covenant not only tolerated

but subscribed by the king; and in the heyday of her supremacy she endeavoured to impose it on England as well as Scotland. In a sense her design was frustrated by Cromwell even in respect of Scotland; but although that great and masterful ruler debarred her from direct and active interference with the civil arm he permitted her while he reigned the exercise of almost unlimited control over manners and morals. The session and the presbytery records, in every district of the country, during the time of the Protectorate, teem with astounding instances of her interference with even the minutest details of domestic and social life. Elders were appointed each in his own quarter for trying the manners of the people; and the Presbytery of Aberdeen went so far as to order every master of a house to provide himself with a "palmar," or birch, for the chastisement of frivolity in his family or among his maids.

It is impossible to arrive at any other conclusion than that the ancient disciplinary

system of the Kirk was a huge and dreadful mistake; that while her enforcement of it was the usurpation of functions properly belonging to the State, her manner of exercising these functions was insufferably tyrannical. Granted that she had to contend with a certain laxity of manners created by a peculiar religious crisis, the cures she prescribed were in effect little better than the disease. If her ideal was noble—and it was so only in the sense in which the monastic ideal is noble, for it represented but an incomplete and bastard monasticism—her methods were intolerable. Small wonder, then, that at the Restoration she should have been hoist with her own petard. The Covenanting persecution, cruel though it was, was not unprovoked, nor did it essentially differ from the Kirk's own method of behaviour towards heretics. Moreover, its victims were possibly not so numerous as those immolated by the Kirk on the altar of witchcraft. Much has been made of the pitiful fate of the two Cove-

nanting women exposed to drowning by the gradual influx of the waters of the Solway; but the odium attaching to this isolated act is slight indeed compared with that pertaining to the torturing, "wirrying," and burning, at the direct instance of the Kirk, of whole multitudes of women, many of whom died protesting in all sincerity that they were wholly "innocent of the crimes laid to their charge," and none of whom could have been actually guilty in the sense supposed. Besides, the Covenanters did not object to religious persecution on principle, but only as exercised against themselves. They knew nothing of toleration. With a free hand they would have concussed both nations into Presbyterian Calvinism; and now an attempt was made to concuss them into Episcopacy. It was inexpedient and wrong, no doubt, and it proved a complete failure. But it at least taught the Kirk the salutary lesson that two could play her game of religious tyranny; and from the furnace a large part of the nation came forth wiser if

sadder than when it went in. The old pretensions of the Kirk were never revived in all their pristine intemperance and self-sufficiency. From henceforth she ceased from exercising absolute sway in matters civil; and in 1690 her old form of discipline was knocked on the head by the repeal of "all Acts enjoining civil pains upon sentences of excommunication." With this tremendous weapon all but innocuous in her grasp, she gradually discovered that her subsidiary methods of punishment were coming to be regarded with other than the old emotions. The sanction of custom enabled her to retain them in position for some considerable time; but they had lost much of their impressiveness. In this there was hardly matter for regret on any account; for her discipline, however unpleasant and discomforting, had never been strikingly effectual—indeed, could pretend to a victory in connection with but a single sort of transgressions. It was claimed that witchcraft did actually succumb to the vigilance

of the Kirk-sessions, and when in 1743 further persecution of witches was forbidden by the civil authority, the Kirk protested against such enlightened legislation as "contrary to the express law of God; by which a holy God may be provoked to permit Satan to tempt and seduce others to the same wicked and dangerous snares." But in truth witchcraft was chiefly a ghost of the Kirk's own raising, and the cruelties exercised in laying it form, perhaps, the darkest blot on her escutcheon. It was far otherwise with her efforts to cope with the vice of drunkenness, the increase in which may be partly explained by a desire to find a refuge from the gloomy dogmatism of the Kirk and the joyless social atmosphere of Puritanism. It was also far other with her championship of the seventh commandment. As for the "cutty stool" as a moral influence, "A frail victim," says Hill Burton, "was sometimes compelled to appear on nine or ten successive Sundays exposed to the congregation in the seat of

shame"; but "the most noticeable effect often produced by the exhibition was in the gibes and indecorous talk of the young peasants, who, after a few significant glances during the admonition, and a few words at the church door, adjourned the general question for discussion in the change-house."

Within recent years the competition between the various denominations has tended in the direction of moderation. In any case, the more formidable paraphernalia of punishment have nearly if not utterly disappeared. The joug still hangs by the outer wall of Duddingston Kirk—it may be as a warning to the youth of adjacent Edinburgh against Sunday skating on the neighbouring loch; but not within recent years have news been brought to the Scottish capital of any actual application of the discipline. The stool of repentance has also ceased to vary the monotony of Presbyterian ceremonial and—a Samson shorn and captive—may now be contemplated without peculiar per-

turbation in antiquarian museums. No fetid ecclesiastical pool now reminds the philosophic traveller that "justice shall haunt" the loose-tongued woman as well as the "violent man." After years of degenerate and spurious observance, the Fast Day is now avowedly consecrated to recreation and frivolity. As to the services, even in those sections of the Kirk which specially claim to represent "the distinctive principles of the Reformation," it is now almost recognised that the proper means of ecclesiastical influence is not compulsion and mortification but persuasion and charm.

XIV.

THE REFORMATION AND RAIMENT.

In the fifteenth and sixteenth centuries—to go no further back—the importance attached in Scotland to richness and elegance of attire is abundantly shown, not only by portraits but by allusions in the poetry of the period and by a great variety of documentary evidence. Thus, of the successful merchant in "The Priests of Peebles"—

> "Rich were his gowns, with other garments gay,
> For Sunday silk, for ilk * day green and gray;
> His wife was comely clad in scarlet red."

There is, indeed, every probability that

* Every.

the Scots, in the centuries preceding the Reformation, were more attentive to dress than the English. "They are," says the Spanish Ambassador, at the Court of James IV., of the Scots ladies, "very graceful and handsome women. They dress much better than here" [England], and "especially as regards the head-dress, which is, I think, the handsomest in the world." Again, of the young nobles and barons: "There is much emulation among them as to who shall be best equipped, and they are very ostentatious." Even when he did not enlist in foreign service, the young Scots gentleman usually spent some years in foreign travel—especially in France, Spain, and Italy—and his manners were, in great part, modelled after those of the gayer south. Moreover, Scotland had then a wide and good commercial intercourse, and imported large quantities of silks and other braveries. Even of the country damsels, who danced "full gay" at "Christis Kirk on the Green," you read that "their shune were

of the Straits." Nor must the French influence at the Court of Mary of Guise, and her daughter, Mary Stuart, be left out of account. "Sour John Knox" refers disdainfully to the "stinkin pride of the women," at the opening of Mary's Parliament in 1563, and states that articles were in this "Parliament presented for order to be taken for apparel, and for reformation of other enormities," but that all was "scripped at." But from a letter to his sisters it would appear that his own private opinion in regard to female adornment was not thus Puritanical and grim. Although he "cannot approve," he declines absolutely to condemn "sic vain apparell as maist commonlie now is usit among women"; he thought it "difficult and dangerous to appoint any certainty." The "Monstrous Regiment of women" (female government), gave him real concern; but in respect of dress he was disposed to make allowance for natural vanity and unreasonableness; he deemed

it at least better that they should feed their minds upon the trifles of the toilet than meddle with politics and "public authority." He rallied the ladies of Mary's Court on their love of finery with gentle mockery; he did not directly reprove. "O fair ladies," said he, "how pleasing were this life of yours if it should ever abide, and then in the end we might pass to heaven with all this gay gear!" The Act of 1567 regarding ladies' apparel—"This Act is verray guid"—was somewhat mild: "Item it be lauchfull to na womeñ to weir abone hair estait except[e] howris." This peculiar conjunction of "let" and "hindrance" is a curious illustration of Scots pawkiness. No penalty is prescribed. It is merely announced that to dress above their station is a privilege henceforth reserved to "unfortunate persons." It was not that the legislators loved prostitution more; it was that they wanted to impale the devotees of personal adornment on the horns of a bad dilemma.

According to "The First Book of Discipline," "excess in apparel" was one of the faults which "properly appertained to the Church of God to punish"; and although there seems to have been much liberty at first, yet gradually every kind of personal adornment came to be regarded as more or less of "a snare." In 1575 an Act was passed by the General Assembly of the Kirk anent "the apparelling of the ministers." The Reformed clergy had rejected the dress of the Catholic priesthood with the "disguised apparels" of the several religious orders. They adopted civil dress; and the regulation shows how very ornamental and elaborate it was, and what difficulty the Kirk authorities had in subduing the love of the beautiful and becoming in the "preachers of the Word." "Forasmuche," the Act proceeded "as a comelie and decent apparrell is requisite in all, namelie ministers, and such as beare function in the Kirk, first, we thinke all kinde of browdering unseemlie; all begaires

(slashes) of velvet in gowne, hose, or coat, and all superfluous and vaine cutting out, steeking with silkes, all kinde of costlie sewing on pasments, or sumptuous and large steeking with silkes; all kinde of costlie sewing or variant hewes in clothing, as reid, blew, yellow, and such like, which declare the lightnesse of the minde; all wearing of rings, bracelets, buttons of silver, gold or other mettall; all kinde of superfluities of cloath in making of hose; all using of plaids in the Kirk by readers or ministers; all kinde of gowning, cutting, doubletting, or breekes of velvet, satine, taffatie or such like; and costlie giltings of whingers and knives and such like; all silk hatts, and hatts of diverse and light colours; but that their whole habite be of grave colour, as blacke, russet, sad gray, sad browne; or searges, worsett, chamlett, grogram, lylis worset, or such like; that the good Word of God, by them and their immoderateness, be not slandered. And the wives of the ministers to be subject to

the same." Although this order primarily affected the ministers and their families alone, it necessarily influenced powerfully the whole community. "Sad gray" and "sad brown" were now authoritatively recognised to best befit the godly, and "variant hues," as red, blue, yellow, and such-like, were declared to be more or less akin to wickedness. Moreover, since the clergy avowedly adopted civil dress, they no doubt set the fashion among the middle classes, at least in the case of those who desired to be of pious repute.

In its efforts to discountenance gay apparel the Kirk was greatly aided by Parliamentary legislation. In 1581 an Act was passed against "the great abuse among the common people, even of the meanest rank, in their presuming to counterfeit the King and the nobility by their habit of wearing costly clothing of silk." This was renewed in 1584, and subsequent enactments indicate the difficulty of breaking down the natural instinct. Sir Richard

Maitland's "Satire on the Toun Ladies" supplies evidence to the same effect :—

"Thair gouns ar coistlie, and trimlie traillis,
Barrit with velvous, sleif, nek and taillis;
And thair foirskirt of silkis seir
Of fynest camroche thair fuksaillis;
And all for newfangilnes of geir.

And of fyne silk thair furrit cloikis
With hingand sleivis, lyk geill poikis;
Na preiching will gar thame forbeir,
To weir all thing that sinne provoikis;
And all for newfangilnes of geir."

It was one of the special foibles of James VI. to prescribe appropriate dresses for the different classes and functionaries. The dresses now worn by Scottish officials—including judges, advocates, and magistrates—date from an Act passed in 1610, and were personally determined by the King; and this enactment was supplemented by one of 1621 for the regulation of civil attire. None but nobles were permitted to wear gold or silver lacing, nor any velvet, satin, or silks. Lords of session, barons, magistrates, professors at Universities and others were permitted to indulge

in a style of adornment something less gaudy; but all other persons were prohibited from having pearls or lacings upon their ruffles, shirts, napkins, or socks; as also from wearing "buskings of feathers," pearls or precious stones. "Austere and Puritan self-denial in dress" was thus rendered compulsory as regards the most. It was lauded by the Kirk as a special token of grace, and the attitude of the Kirk was supported by legislation reserving ornament to them that were favoured of the King, if not of Heaven. And by this general prohibition of ornamentation the standard of taste was lowered, until the nobles themselves lapsed into the adoption of the sad and sombre style of the middle classes. No doubt other influences—as the decay of feudalism and chivalry—were working towards the same end. Nor did the case of Scotland essentially differ from that of other countries; only the authority of Puritanism was there more rampant, and to some extent antedated the period of change.

XV.

SQUALOR.

At one time there was probably very little to choose between Scots and English in the matter of filthiness and general insanitation. In all verity the fastidious sensibilities of the scornful Howell—who published in 1639 his "Perfect Description of the People and Country of Scotland"—seem to have been grievously shocked by their experience of so "stinking a town as Edinburgh"; but not so long before the southern capital might fairly have vied with Edinburgh in potency and variety of odour. It is certain, indeed, that even in the palmy times of her uncleanliness the latter city never boasted such an artery of putrefaction as the Fleet River, whose effluvia did so clog the neighbouring airs

as to assimilate the incense burnt at the adjacent altars. In Howell's time (and chiefly under the auspices of King James, born, as he states, "in stinking Edinburgh") a good deal had been done for the sanitation of London by the construction of main sewers; but not more than three years before the publication of Howell's satire on the Scots—and in simple deference to the plague of 1636—had the noisome Fleet been bridged and covered in; and for more than a century after—as is sufficiently attested by her astounding bills of mortality, London remained a whited sepulchre. But besides endeavouring to cleanse the outside of the cup and platter, she gave abundant evidence of a desire to effect a remedy, however unable from lack of practical skill to do so. Now, Edina ("Scotia's darling seat"), so far from manifesting any anxiety to be rid of her stenches, became seemingly only more fondly attached to them as time went by; and by the middle of the seventeenth century her advance in cleanliness

had only been an advance backwards. Her magistrates bore a bad repute for their scandalous neglect of her amenities. More than a century before Howell and his "Perfect Description," Dunbar, in his "Address to the Merchants of Edinburgh," had inveighed in no measured terms against the hideous and universal squalor of her streets. Of London he had sung thus :—

" Gemme of all joy, jasper of jocunditie
Most myghty carbuncle of vertue and valour,
Strong Troy in vigour and in strenuytie
Of royall cities rose and geraflour,
Empresse of townes, exalt in honour,
In beawtie beryng the crone imperiall,
Swete paradise precelling in pleasure
Londoun, thow art the floure of cities all."

But this is how he pictures his native capital :—

" Tailors, soutters, and craftis vile
The fairest of your streets does file,
And merchants at the stinkand style,
Are hampered in ane honey came ;
Think ye not shame
That ye have neither wit nor will
To win yourself a better name."

And even if his rebukes did for a moment pierce the hides of municipal self-complacency and sloth, it is probable that with the other achievements of his robust and admirable muse they passed into oblivion at the Reformation, and at any rate they failed to produce any lasting salutary effect. To such a hideous pass were matters presently come that in March, 1619, the Scottish Privy Council found it necessary to represent to the magistrates that "the city is now become so filthy and unclean, the streets, the vennels, the wynds, and the closes thereof so overlaid and covered with middings and with the filth of man and beast, as that the noble councillors, servants, and others of his Majesty's subjects who are lodged in the burgh cannot have clean or clear passage and entry to their lodgings"; and they further give them candidly to know that "this shameful and beastly filthiness is most detestable and odious in the sight of strangers, who, beholding the same, are constrained with

reason to give out many disagreeable speeches against this burgh, calling it a puddle of filth and uncleanness the like of which is not to be seen in any part of the world." So that Howell was not by any means the first to indulge in "disgraceful speeches" against the birthplace of King James. Nor, if the condition of Edinburgh was even half as vile as it is painted in this Act of the Scottish Privy Council, is there any reason to deprecate his satire. Indeed there is evidence even to excess that the Scottish capital, as well as other Scottish burghs, maintained an equal disregard of the amenities beyond the close of the seventeenth century. Even after much amendment had taken place as regards the removal of middens and other permanent centres of putrefaction, it was very slowly and painfully that her citizens, notwithstanding the repeated interference of authority, were weaned from the immemorial custom of paying their nightly orisons to the divinities of the

midden by discharging the daily accumulations of filth from their windows into the streets.

Without doubt this peculiar reluctance of the Scot—even him of the "modern Athens"—to part with his ancient habit of uncleanliness is traceable in no small degree to the special bent of his religion at the Reformation. It was said from of old that cleanliness is next to godliness; but if Scottish Puritanism be the highest possible form of godliness on earth, then cleanliness and godliness were incompatible for centuries. That rage of iconoclasm which was a special note in Scottish Reformation zeal was in great part composed of a frenzy against beauty and art. Cleanliness, if not promotive of godliness, is certainly necessary to the realisation of beauty, so that the Scottish reformer was almost necessarily prepossessed in its disfavour. At least squalor and dirt were thoroughly antagonistic to adornment and "formosity." Possibly the very fact that

they were disagreeable was reckoned rather a recommendation than not. That they entailed any evil consequences, whether physical or moral, was opposed to the general tenor of Knox's teaching and the teaching of Knox's disciples. Nay, the pest which had scourged the land for centuries they were so far from regarding as a result of her shameless uncleanliness, that they especially described it as God's judgment upon sins of an entirely different character, and Knox himself assumed the right to prophesy it upon the enemies of the Kirk as one of his peculiar prerogatives. The endeavours of the secular power to induce the adoption of cleanlier habits in the towns and burghs were frequent enough; but, comprehensive as was the authority claimed by the Kirk over manners and morals, she never indicated the smallest discontent with the national vice of squalor. In the secular statute-book of Scotland there is at least one Act (1424) against the wearing of "ragged clothes"; but, while "excess in

apparel" is specially designated in "The First Book of Discipline" as one of the sins which "do properly appertain to the Church of God to punish the same as God's Word commandeth," a significant silence is maintained as to unkemptness and unwashedness, and even as to deficiency in clothing. It is even possible that the assemblage of a whole congregation in "harn gowns" would have rejoiced the preacher as a peculiar token of the operation of grace, for personal adornment was persistently discouraged by the Kirk. So that, however great may be the debt of Scotland to Knox, and however beneficial to her may in some respects have been his influence, it is to be feared that by the guidance alone of him or his disciples she would never have obtained deliverance from the slough of her uncleanliness.

XVI.

FOOTBALL.

The writer on football in the ninth edition of the *Encyclopædia Britannica* affirms that, "unlike cricket, football had never taken root among the aristocracy and gentry." This may be true of England from the time of Edward III.'s prohibition, but as regards Scotland it is altogether the reverse of true, and probably for this reason —that the royal fiat there was never very potent. Each individual noble was a law unto himself, and the Scottish kings were by no means successful in substituting archery for football and golf. Football was prohibited in 1424, 1451, 1471, and 1491; but the very repetition of the enactments is

proof of their inefficiency. At all events in 1497 footballs were purchased by James IV. himself, probably for a game at Court. In the next century the game was played not merely by the gentry, but even by the monks and other ecclesiastics. Thus Sir David Lindsay's abbot vindicates his Presbyterial efficiency by setting his prowess at football against his neglect of the pulpit:—

> "I wot there is nocht ane among you all
> More finelie can play at the fut-ball."

Even the highest nobles did not disdain the game. Of the "Bonnie Earl of Moray" the balladist sings:—

> "He was a braw gallant
> And he played at the ba';
> And the bonnie Earl of Moray
> Was the flower among them a'."

Another noble who "played at the ba'" was the fifth Earl of Huntly, who was seized with apoplexy (it was hereditary)

while kicking off, and died the same night. The game seems to have been a common one at the Court of Queen Mary. Sir Francis Knollys tells that when she was at Carlisle after the flight from Langside, "about twenty of her retinue played at football before her the space of two hours, very strongly, nimbly, and skilfully, without any foul play offered." Their play struck Sir Francis as much superior to anything he had seen; and it is clear that the game in vogue at this time among the upper classes of Scotland differed radically from the common annual rough-and-tumble of later years. True, James VI., in the "Basilikon Doron," published in 1599, denounces the pastime as "meeter for laming than making able the users thereof," but the modern forms of the game have been decried in similar terms.

The real cause of the decline and deterioration of football in Scotland was the prohibition of Sunday football by the Reformers. The traveller William Lithgow,

in his poem "Scotland's Welcome to King Charles," 1633, laments that—

> "Manly exercise is shrewdly gone,
> Football and wrestling, throwing of the stone;
> Jumping and breathing, practices of strength
> Which taught them to endure hard things at length."

During the Covenanting and Cromwellian periods of ascendancy football was in still greater disrepute; and Sir David Hume of Crossrig records that, in 1659, having, in accordance with a traditional custom of the second-year students at Edinburgh University, taken part in a game of football on the Borough Muir on the 11th of March, he was sentenced to be whipped in the class, and, refusing to submit, was expelled the University.

Some have supposed that the ancient pastime in Scotland allowed running with the ball, as in the modern Rugby game, and in support of this Hone's account of the "historical game at Scone" has been

quoted. This game, however, as is stated in the original notice in Sinclair's "Statistical Account" of the parish, was only a carrying game, the use of the foot not being lawful; moreover, according to tradition, it was not of English origin, but was introduced into Scotland by an Italian in the days of chivalry; above all, it was notoriously peculiar to Scone, and hence the current proverb, "All is fair at the ball of Scone." There is no evidence at all that carrying was permitted in the pure Scottish variety. Thus, in Skinner's "Monymusk Christmas Ba'ing"—

> "Sometimes the ba' a yirdlins ran,
> Sometimes in air was fleeing";

but although the Monymuskers are represented as employing "a' the tricks of fut and hand," there is no allusion to any one running even a "yirdlins" with the ball in his arms, for that was only "fair" at Scone. But is the Scone game not practically identical with the Greek and Roman with the

harpastum? Here, then, we seem to have a key to the origin of modern Rugby. If at Scone, the presumption is that the Roman game was played in other parts of Britain; and Rugby football seems to be nothing more or less than a combination of the Saxon and Roman games, with a supplementary "scrum" derived from the period when football, having been under a ban in England from the time of Edward III., had degenerated into "a friendly kind of fighte," engaged in once a year by an unskilled mob, not infrequently in the narrow area of the public streets.

In all probability the ancient game of football in Scotland bore a close resemblance to the modern Association game, except that holding with the hand was allowed in certain emergencies. It may have been quite as scientific, for constant practice at any game necessarily leads to the substitution of skill for mere brute force. Skilled players would hardly care to take part in a game played with one hundred

men or upwards a side, as in the border game of Sir Walter Scott's time, and we have seen that only about twenty players took part in the game before Queen Mary. No doubt "accidents" at the game are still more numerous than is desirable, but the immense improvement—in the supersession of savagery by skill—which has followed the general adoption of the game by all classes of the community is undeniable. Those who, by a long parade of "accidents," attempt to frown the pastime down as brutal and demoralising are merely doing their little best to make it both. And, after all, is it as now played exceptionally dangerous? Minor accidents are common enough; but, so far as loss of life is concerned, is football as perilous as hunting, shooting, riding, yachting, bathing, or even doing nothing? Is it very much more deadly than crossing a crowded London street? or is it anything like so hazardous as railway travelling?

XVII.

ASSASSINATION.

No tenet nor practice, no influence nor power nor principality in the Scotland of the past has outvied assassination in ascendency or in moment. Not theoretically, indeed, but practically, it occupied for centuries a distinct, almost a supreme, place in her political constitution—was, in fact, the understood if not recognised expedient always in reserve should other milder or more hallowed methods fail of accomplishing the desired political or, it might be, religious consummation. To trace its rise from opprobrium to honour, or fully to account for its predominance in Scottish politics were perhaps a somewhat arduous task. Yet is it easy to discern some of the principal causes of its influence. The turn

for it is in the Celtic blood, of which there was a strong infusion even in the Lowland Scot; while there can be little doubt that the limited nature of the king's prerogative, combined with the rivalries between the almost monarchical nobles, secured it a certain immunity from punishment, and also prepared a soil specially fitted for its development. The respect for law and order was of very slow growth. For centuries such justice as was exercised was haphazard and rude, and practically there was no law but the will of the stronger. Few, if any, of the great families but had their special feud; and feuds once originated survived for ages: to forget them would have been treason to the dead, and wild purposes of revenge were handed down from generation to generation as a sacred legacy. To take an enemy at a disadvantage was not deemed mean and contemptible, but—

> "Of all the arts in which the wise excel
> Nature's chief masterpiece."

To do it boldly and adroitly was to win a

peculiar halo of renown; and thus assassination ceased to be the weapon of the avowed desperado, and came to be wielded unblushingly not only by so-called "men of honour," but by the so-called religious as well. A noble did not scruple to use it against his king, and the king himself felt no dishonour in resorting to it against a dangerous noble. James I. was hacked to death in the night by Sir Robert Graham; and James II. rid himself of the imperious and intriguing Douglas by suddenly stabbing him while within his own royal palace under protection of a safe conduct.

The leaders of the Reformation discerned in assassination (that of their enemies) the special "work and judgment of God." The martyr Wishart, described by Knox as "of such graces as before him were never heard within this realm," and by his pupil, Tylney, as "courteous, lowly, lovely," was more probably than his cousin the Wishart who (in 1544) was an intermediary between Henry VIII. and certain Scots conspirators

in a plot against the life of Cardinal Beaton; and when the assassination did take place in 1546, all the savage details of it were set down by Knox with unbridled gusto. "These things we wreat mearlie," is his own ingenuous comment on his performance. The burden of George Buchanan's "De Jure Regni apud Scotos" is the lawfulness or righteousness of the removal—by assassination or any other fitting or convenient means — of incompetent kings, whether heinously wicked and tyrannical or merely unwise and weak of purpose; and he cites, as a case in point and an "example in time coming," the murder of James III., which, if it were only on account of the assassin's hideous travesty of the last offices of the Church, would deserve to be held in unique and everlasting detestation.

The bands or covenants of the nobles to support each other in all their enterprises (for their own aggrandisement) generally implied a sanction of assassination if all else should fail; and a place once gained

for it even by implication, it not infrequently assumed the place of honour, till bands were formed avowedly for the bare and sole purpose of assassination, when its position as an influential factor in Scottish politics was assured. The sanction or arrangement of any particular murder by a nobles' league was a very sure guarantee of safety for the assassin; and, as matter of fact, in the great political assassinations of Scotland immunity from capital punishment has been the rule. Also they became so numerous that in all probability the national destiny has been more powerfully and permanently affected by them than by battles: always excepting, of course, the battles of the early times and of the struggle for independence. At least this was so in the sixteenth century, which, after all, is by far the most pregnant in Scots history. Would the Reformation in Scotland have come when it did, or would it have come at all, or when it did come would its form have been so radical and extreme had not

the purposes and schemes of Cardinal Beaton been brought to nought by his removal? The most striking circumstance of the murder of Riccio was the contrast between the Italian's physical contemptibility and crouching terror and the abounding energy and tumultuous wrath of his assailants; but politically considered, its far-reaching results can scarce be exaggerated. It saved the lives or fortunes of the most powerful of the Protestant nobles; it broke the power of the queen; it prevented the establishment of Catholicism; and it was the prelude of one of the strangest dramas in history, for its direct and almost inevitable consequence was the tragedy at Kirk-o'-Field. Darnley was disqualified, intellectually and morally, from being aught but a political shuttlecock; but the effects of his assassination sealed the destiny both of Catholicism in Scotland and of Queen Mary. Excepting Knox, the next victim, the Regent Moray, was perhaps in Scotland the most powerful personality of

his time. His removal failed of the direct and special consequences anticipated, but there can be little doubt that it greatly affected the tenor of events. It came at a critical period of his career; a few years longer and the final aims of his ambition, good or bad, wise or unwise, must have declared themselves; and his character, with its strangely contrasting features, would have been less of an enigma than it is.

These four murders have a peerless pre-eminence; but the old influence may be traced in Scottish history to a much later period. The haunting terror of assassination was largely responsible for many of the eccentricities, moral and political, of the "Scottish Solomon"; and not till the union of the crowns did the practice begin to show decided symptoms of being on the wane. To trace its indirect results is of course impossible; but among them may be reckoned the solemn leagues and covenants, which might never have been thought of but for the old assassination bands.

XVIII.

NEW LIGHT ON THE DARNLEY MURDER.

Perhaps of the paradoxical in politics no more curious example could be found than the great, almost pre-eminent, part played by Darnley in the events of his time. His one gift, so to say, was the result of a peculiar combination of weakness and baseness. Had he been cleverer or greater villain his career had perhaps been less momentous. It was the inordinateness of his moral debility rather than of his positive wickedness that made him such an efficient marplot of the schemes both of Mary and her opponents. To the assassins of Riccio he proved a dupe and tool of matchless suitability for their particular purpose; and yet Mary found in him an equally admirable

accomplice in robbing them of the main fruits of their daring venture. His joint capacity for dupery and treachery was so inordinately rank that it counted for one of the potent political forces of the period, and in no small degree assisted in constituting the few short months which comprehended the assassination of Riccio and his own tragic death one of the epochs of Scottish history. But fruitful of great results as had been the unrestrained action of his imbecility, these were more than matched by the consequences which followed his "taking off"; for his death proved to be the turning-point in the final struggle between Catholicism and Protestantism in Great Britain, and has up till now remained the centre of one of the most burning of historical controversies.

From the time of his marriage to the Queen of Scots Darnley was almost foredoomed to calamity, if not assassination. The career of any one who became Mary's husband was bound to be eventful, but in

the case of one with Darnley's peculiar idiosyncrasies it was necessarily fated to be short. The causes that made for his assassination thickened with amazing rapidity. Originally danger threatened him only from the Protestants, including Moray, who, it has been argued, had already set his ambition on the Scottish throne; or from the Hamiltons, who had rival claims with Darnley to the Scottish throne apart from his marriage to the Queen of Scots; or from nobles such as Argyll, who had an hereditary feud with his family. With the murder of Riccio and escape of Mary the dangers so increased that his fate was practically sealed. What might have been the result had Mary not won him over to flee with her to Dunbar it is difficult to forecast. Possibly her escape did little to effect ultimate events, except as they bore on her reputation with posterity. Had she not escaped she might have been saved from entanglement in Darnley's assassination, and her reputation with posterity

as Catholic martyr might have been undimmed. As for Darnley, all that can be said is that practically he left nothing undone that could compass his own death. First and foremost he had, as M. Philippson, in his "Histoire du Règne de Marie Stuart," * points out, won for himself the hatred, "implacable and mortal," of his consort Mary Stuart; for besides having been party to the murder of her most trusted political confidant he had burst her conspiracy for a Catholic conquest of Great Britain: he had done so unconsciously indeed, but in such a manner as to render wedlock to him an intolerable encumbrance. As regards the Protestants, he had shown that in the character of avowed friend and ally he was much more dangerous than as open foe. Even nobles such as Morton, who, though Protestants were "devoted to him by bond of blood," he had hopelessly estranged by a wanton betrayal of their interests; and diplomatists like Maitland

* Vol. iii. Paris, 1892.

he had outwitted and ruined by the incalculable peculiarities of his moral idiocy. To crown all there was the rise to a position of supreme influence in the councils of the queen of the sinister Bothwell, whose one, but all-sufficient, objection to Darnley was that he stood in the way of his ambition. Such in outline were the influences which worked together to effect Darnley's death. The chief question of historians has been as to the character of their combination—as to which were principal and which subordinate.

M. Philippson, in his recent volume, has propounded the notion that the main contrivers of the Darnley murder were the leaders of the Protestant nobility, with apparently the connivance of Cecil; and has assigned as their main motive that "they saw in him as Catholic prince a dangerous adversary, not on account of his personal qualities but of his position as husband of the queen and father of the future king of Great Britain." The credibility of this

conclusion would have been more apparent had Darnley not at this time been notoriously and hopelessly estranged from the queen. On account of the estrangement he had already become and seemed destined to remain a political cypher, and therefore so far as Protestantism was concerned his removal from the political arena was at this particular juncture by no means urgent. Indeed it might even be plausibly contended that to the Protestants there was meanwhile considerable advantage in allowing Darnley to remain as husband of the queen. To prolong the quarrel between them rather than to bring it to a close would probably have been the more prudent policy. Hampered as both then were they were practically powerless to effect much harm to Protestantism. Bishop Leslie would have had no scruple in ascribing the assassination to mere Protestant zeal had there been the semblance of a reason for doing so; but in the short narrative included in Mr. Forbes-Leith's "Narratives

of Scottish Catholics" (1885) he affirms that it was done at the instance of Morton, Ruthven, Lindsay, and other assassins of Riccio, and solely in revenge for the betrayal of their plans to the queen. This is of course a by no means correct account of the origin of the conspiracy, and indeed so far as both Morton and Lindsay are concerned it is palpably the reverse of true, for Morton declined to take part in the assassination, and Lindsay, who also, like Morton, was a relative of Darnley, knew nothing of it—as even Lord Herries admitted—and cherished the deepest resentment towards the supposed murderers. But the bishop's theory manifests at least his disbelief in the plausibility of such a theory as that of M. Philippson, whose curious speculation indicates a strangely erroneous conception of the individual idiosyncrasies of the Scottish nobles. Even had Darnley been at this time the main anxiety of the Protestant nobility a divorce would have served their purpose quite as well as assassination; and

thus Bishop Leslie clearly saw that if they were to be saddled with the responsibility of the assassination, revenge, and revenge alone, must be assigned as the motive. But plainly the main concern of the Protestant nobility at this time was to strengthen their position by obtaining the recall of Morton and other exiled assassins of Riccio. The assent of Bothwell and the queen to their recall indicates that if the leaders of the Protestant nobility did favour the assassination of Darnley they did so for the special benefit of Bothwell if not also of the queen. With their recall there arose the danger that the scale of political influence might be turned against Bothwell and the queen, and it would never have been agreed to except on the clear understanding of a *quid pro quo*. That *quid pro quo* was undoubtedly riddance from Darnley with a view to the queen's marriage to Bothwell. It is admitted that the leaders of the Protestant nobility did agree to a divorce; and the idea of assassination must

have been suggested by considerations more urgent or more vehement than any that primarily concerned Protestantism. M. Philippson has himself unconsciously guided his readers to these considerations, and has thus supplied the best possible refutation of his own theory, by proving that as early as the Craigmillar conference Bothwell and Mary had determined in one way or other to be rid of Darnley. Mary, as he conclusively shows, was passionately attached to Bothwell. The attachment may—as some deem it necessary to suggest—have had its origin in gratitude; for it was to him that she chiefly owed recovery of her crown and kingdom after the murder of Riccio; but the theory that Mary throughout acted from semi-compulsion or self-interest, while it worsens rather than betters her case, is entirely opposed to the whole tenor of the evidence. Moreover, one of the main arguments against the possibility of Mary's attachment to Bothwell—that he was destitute of personal attractiveness—can scarcely

longer be persisted in. It never had much cogency—hardly more indeed than the theory that she was the victim of Bothwell's sorcery—but in any case it seems to be now entirely refuted, not merely by the statement of the Venetian ambassador ("Calendar of Venetian State Papers") that he was "a young man of handsome presence," but by the significant testimony of even Bishop Leslie himself ("Narratives of Scottish Catholics"), that he was "endowed with great bodily strength and masculine beauty." But be this as it may, that Mary had already determined to marry him "in spite of the whole world," is manifest from the fact that immediately after the Craigmillar conference she began to adopt measures to secure his divorce from Lady Jean Gordon. It is thus abundantly evident that at the time of Darnley's assassination riddance from him was a matter of more vital moment to Bothwell and to Mary than to any one else.

Tha Maitland was accessory to the

murder of Darnley—if he did not suggest it or the arrangements for it—is more than probable, for his close confabulations with Bothwell at this particular time can scarce be explained otherwise; but although he had very good reasons for detesting Darnley —supposing Darnley were worth more than mere contempt—he was never supremely devoted to Protestantism, at least in its Scottish form. He had, in fact, long ceased to enjoy the confidence of the Presbyterians; for some time he had in addition to this been on a very doubtful footing with Moray; and by his marriage to the beautiful Mary Fleming he was linking his fortunes more closely with those of the queen. His main difficulty no doubt was Bothwell, who, in addition to his personal unfitness to occupy the great position to which he aspired, was his bitter enemy; but he had no choice meanwhile except submission to Bothwell's ascendancy, and he may also have believed in the possibility of ultimately frustrating his

ambition to obtain the queen's hand. As to Moray, it is impossible to suppose him entirely ignorant of the conspiracy, although perhaps he purposely avoided acquaintance with its methods and details. Apart altogether from Mary's account of the Craigmillar conference signed by Huntly and Argyll, and inadmissible as evidence in itself, the chances are that Moray was perfectly well aware that Darnley's assassination had been purposed. One who had attained to a position of such prominence and authority among the Protestant nobility, and whose fortunes were at this time in so critical a condition, was bound, even for his own safety, to adopt every precaution to obtain reliable information regarding such an important move on the political chess-board. Besides, the conspirators had been by no means reticent as to their intentions. That "something bad" was contemplated against Darnley had even reached the Spanish ambassador in London. But Moray's opponents—what-

ever rumours may have been put into circulation by them—did not directly charge him with anything worse than neutrality: the resolution to avoid entangling himself either in endeavours to save Darnley or in plans for his murder. Possibly he may have deemed it best meanwhile to maintain an attitude of masterly inactivity, and allow Bothwell and the queen full freedom to accomplish their own ignominy; but there were other manifest reasons to prevent his interference. Apart from the fact that he had no interest in saving Darnley's life, he had also to look to his own safety. Bothwell would have welcomed any excuse for getting rid of him as well as Darnley. Indeed his chief danger at this time was not from Darnley, but Bothwell. He had done his best to ruin Bothwell, and he could not suppose that Bothwell had forgotten it. From Bothwell he could expect nothing more than mere sufferance. That he was influenced in permitting the assassination by considerations of immediate ad-

vantage, beyond those of mere personal safety, is, however, out of the question. As matter of fact, the success of the plot brought to him meanwhile not merely political extinction, but a great worldly disaster, for Huntly's support of it—as well as consent to Bothwell's divorce from his sister, Lady Jean Gordon—had been purchased by promise of restoration to his forfeited estates then held by Moray. That promise—while it indicates how deeply the queen was involved in Bothwell's machinations—is sufficient proof of the small influence which Moray then exercised in the councils of either. Possibly could Moray have saved Darnley's life without endangering his own, he might have interfered (there is nothing to show whether he would or not), but even had he desired to perform an act, in that ruthless age, of such exceptional chivalry, he would probably like Morton—who from motives of kinship, not chivalry, may have desired to save Darnley—have been precluded from interference by his knowledge

of Darnley's almost phenomenal weakness of character. This was of itself sufficient to frustrate all efforts to save him. Of his manner of welcoming interference on his behalf, Lord Robert Stewart had unpleasant experience. It entirely coincided with Morton's estimation of Darnley, that he "was sic a bairne that there was naething tauld him but he would reveal it to the queen again." At Kirk-o-Field Lord Robert ventured to convey to Darnley an intimation of his danger, and for his pains was confronted with the queen, when in dread of his life he deemed it best to deny having uttered words bearing any resemblance to those reported to her by Darnley. The fact was that Darnley was his own worst enemy. Friendship with him had become not merely an impossibility but a positive danger; and all that can be charged against Moray or Morton is that they avoided an effort to save him, which, while it would probably have been ineffectual of its purpose, might have proved

fatal to themselves. While, therefore, there is no reason to suppose that had the Protestant nobility apprehended deadly peril to themselves or to Protestantism from Darnley, they would have scrupled even to assassinate him, they could not have been influenced by such a motive at this particular time. Protestantism had nothing to do with the murder except indirectly. Some of the Protestant nobles, from motives of private interest or considerations of personal safety, were its abettors; others of them were probably quite content that he "sould be put off by ane way or other"—by assassination if not by divorce, provided they were not involved in the crime; but its main contrivers—leaving Mary meanwhile out of account—were those who "took the deed in hand": Bothwell, who of all the conspirators had immeasurably the most pressing reasons for getting rid of Darnley; Huntly, who of all others was the noble most closely leagued with Bothwell, and who was influenced solely by hope of

restoration to his forfeited estates; Sir James Balfour, the provider of the lodging at Kirk-o-Field, who was then a close partisan of Bothwell, and quite ready to sell his services for any form of lucre; Argyll, who, although Protestant of Protestants, had from the beginning been one of the most strenuous opposers of the queen's marriage to Darnley, with whose father his rival neighbour, the Earl of Lennox, he had a hereditary feud; and the Hamiltons, who as near heirs to the Scottish throne, were personally the most bitter foes of Darnley and his father, and were prepared to welcome almost any conspiracy that increased the chances of their own succession. All these as well as Maitland—who had very good reasons for cherishing a strong personal grudge against Darnley, and was at the same time anxious to ingratiate himself with the queen—remained the allies of the queen after her marriage to Bothwell. Probably to each and all of them the marriage was detestable, and in

their allegiance to her, they were therefore influenced either by loyalty to her person, or by dread of the possible consequences of their crime.

The main difficulty of the question is as to the part played by Mary. Was she confederate? or how far was she confederate? Was she one of the main authors of the conspiracy? Did she approve of it? Did she consent to it? Was she an agent in it? Was she a mere dupe and tool? or was she entirely ignorant of it? That she was in entire ignorance that Darnley's death had been determined on has ceased to be maintained except by her more fantastical devotees. Yet is the position of such artless visionaries less hazy and inconsistent, if more aloof from contact with reality, than the faltering and paltering pleas of her more subtle apologists. Mary, it is admitted, did induce Darnley—her champions or apologists affirm from excess of innocent simplicity—to take up his residence in the lodging at Kirk-o-Field, which the assassins

designed to be his shambles. Her chief motive for choosing the half-ruinous and isolated dwelling was avowedly a tender regard for his health, which it was supposed might have been injuriously affected by the mists and damps that clung round Holyrood; but yet it would appear that after the assassination neither resentment nor horror at the discovery of the base purposes for which she had been utilised, lessened in the smallest her esteem and affection for the chief assassin. Even M. Philippson—who cannot, however, exculpate Mary from responsibility for the murder, the more especially as he admits her passionate devotion to Bothwell—has fallen a prey to a form of this seductive yet suicidal reasoning. While admitting that Mary knew that the assassination was in contemplation—and so far from desiring to prevent it, was quite willing to accept it as a preliminary to her marriage to Bothwell, the chief assassin—he has the courage to ask his readers to disbelieve that she designedly

placed Darnley in the power of his enemies, and actually arrives at the conclusion that Darnley was taken to Kirk-o-Field at his own request. Granted that it was so, the casuistry of the plea is too refined for modern appreciation; but the hypothesis, inherently incredible in itself, is without tangible evidence to support it. For his remarkable deduction he adduces no better reason than the statement of Nelson, Darnley's page, that Darnley was taken to Kirk-o-Field because he declined to go to Craigmillar. But Nelson did not say that the ruinous and isolated lodging at Kirk-o-Field was Darnley's special choice; nor would it have mattered anything if he had said it, for it is notorious that Darnley had nothing to do with its selection. Moreover the statement of Thomas Crawford—the retainer and friend of Darnley—which is also appealed to in support of the same conclusion, is to the effect that Darnley was willing to go with her wherever she might take him, even supposing she de-

signed to cut his throat; and that Crawford, who suspected some evil design, advised Darnley that he should stipulate to be taken to his own house, apparently Holyrood, and certainly not Kirk-o-Field, about which Darnley knew nothing whatever until his arrival in Edinburgh.

But the main difficulty of those who seek to absolve Mary from the charge of direct or indirect agency in the murder, is to discover a plausible reason for her sudden desire for Darnley's companionship, especially in view of the arrangements she had already made for her marriage to Bothwell. If she still contemplated marriage to Bothwell, the society of Darnley must in the circumstances have been specially distasteful to her. Unquestionably she would never have chosen it except from sheer necessity. M. Philippson suggests that she wished to frustrate an absurd scheme of Darnley for seizing the government, but can it be seriously maintained that this gave her the smallest anxiety?

Could the menace to her authority at this particular time from the pitiful intrigues of Darnley have been deemed more than infinitesimal? Moreover, if serious and immediate danger was apprehended from him there was only the more clamant call for his assassination; and does the explanation therefore not tend to strengthen rather than weaken the supposition that by enticing him from Glasgow she intended to facilitate the designs of the assassins? She knew that such designs were contemplated, and undoubtedly they would rid her of all danger from Darnley's intrigues. Why, therefore, trouble about these intrigues, if the assassins had determined on his death, and if they had resolved to effect it without her aid?

The only other possible supposition is that she wished to make a last effort to patch up a reconciliation with him; but this, as M. Philippson at once recognises, is quite untenable. She was already too irrevocably committed to Bothwell to

dream of going back, and even if thoughts of compunction and pity had moved her to a last effort at reconciliation she could scarce suppose that a reconciliation could be safely effected with Bothwell looking on. But, besides, we have not been left to mere conjectures as to the extent to which she might have indulged in such inconsistent and witless vagaries. A glimpse has been afforded us by De Silva, the Spanish ambassador, of her real attitude at this time towards Darnley, and it completely disposes of the question of reconciliation. After Darnley's arrival at Kirk-o-Field, Morette, or Moretta, the ambassador of the Duke of Savoy, had, according to De Silva (the quotation is from the "Calendar of Spanish State Papers," 1892), "asked the Queen of Scotland whether he should see the King [Darnley]. She told him he would not, and she did not think he would be pleased to see him in consequence of the secretary's [Riccio's] murder, he, the secretary, having been a servant of Morette. The latter knew

that the King wished to see him, in order to give him two horses for the Duke, and the King had even told the Queen that he wished to see him, whereupon she had replied that Morette had declined to meet him by reason of the secretary's death." This curious example of Mary's diplomatic finesse reveals how fresh and vivid was still her memory of the part played by Darnley in Riccio's murder, and how deep, heartfelt, and incurable was her alienation from him. Well might De Silva infer from Morette's "mode of speech" that Morette "was not favourably disposed towards the Queen" as regards her connection with Darnley's assassination.

Further evidence of Mary's attitude towards Darnley is of course afforded by the letters said to have been discovered in the silver casket; and with the additional testimony to their genuineness made available by the publication of the "Calendar of Spanish State Papers" relating to this period of Scottish and English history, it

seems impossible any longer to adduce even a plausible pretence for excluding them as evidence. In the comparatively mild language of the editor of the "Calendar," the result of this new testimony is that the "many arguments against their genuineness founded upon the long delay in their production disappear." The language is mild, for the arguments were founded chiefly on suppositions and assertions; and there was in fact no evidence of long delay in their production. But at any rate this additional testimony deprives such arguments of their last semblance of plausibility. We now know that the French ambassador was actually furnished with a copy of the letters some time before the 12th of July, 1567, or within three weeks after the time when the casket was declared to have fallen into the hands of Morton. The mere fact that the French ambassador was officially furnished with a copy of the letters that he might show them to the French Court, is in itself sufficient to remove any possible shadow of

doubt as to the truth of Morton's declaration that the letters were "sichted," or officially examined; and the argument that the letters are "under suspicion" from the mere fact that the casket and its contents remained "for eighteen months in the hands of Morton" becomes still more devoid of cogency. The supposed difficulties as to the language in which the letters were written are also completely disposed of. The ambassador must have obtained a copy of the original French version of the letters. The sending of a Scots version of the more important passages of the letters to Elizabeth—surely not on the face of it an unaccountable procedure if it be remembered that Scots was the native language of Scotland, and that in all probability also these were the very identical passages that were read to the Scottish Parliament in justification of the action against the queen—has been made much of by certain critics; but however ingenious or forcible such arguments may have seemed in the past, it can

henceforth avail little to ask why the letters were sent to Elizabeth in Scots? The procedure may have been stupid or even inexplicable—as some, to whom one would willingly defer, seem to think; but henceforth it will be impossible to argue that it implied deceit or criminality. Another point also is—as the editor of the "Calendar" points out—"that the French ambassador in London knew the purport of the letters early in July at a time when it was impossible for Moray to have been informed of their existence." Clearly, therefore, the supposition that Moray, when at the end of July he gave a description of the long Glasgow letter, was then simply engaged in the process of forging it, and had not yet decided on the precise form it should assume, is no longer tenable. But more decisive than all is the consideration that it is no longer possible to suggest that any portion of this letter has been borrowed from the declaration of Darnley's retainer, Thomas Crawford. The correspondence between the two docu-

ments, however it may have occurred, can no longer be adduced as an argument that the letter was forged on the basis of Crawford's statement. If the one document has been based on the other, the only possible conclusion now is that Crawford "refreshed his recollection by aid of the letter." Thus the main difficulty to the acceptance of the Glasgow letter as genuine disappears. It was really the only plausible evidence ever adduced to support the theory that the letters were forged or "doctored." Latterly the theory that they were forged throughout has, for more reasons than can here be stated, been abandoned, but the theory that they were doctored is in itself much more incredible. "Doctoring" is of course a suggestive epithet, but to practise "doctoring" of documents is, if not more difficult, more dangerous than to forge throughout. Indeed, as usually promulgated, the theory was almost hopelessly involved in contradictions; for what advantage could be gained by doctoring writings of Mary that

were already compromising? And if they were not compromising what was there to prevent Mary exposing the doctoring process?

The chief value of the long Glasgow letter is not that it more conclusively establishes Mary's connection with the murder—for apart from it the circumstantial evidence is overwhelming—but that it more clearly reveals her motives in consenting to act as confederate of Bothwell, and contains her best available apology or defence. The mitigating circumstances of the case are there stated more persuasively than by those who have deceived themselves by the flattering unction that Mary's cause is served by the rejection of the letter. It discovers to us that the real author of the conspiracy was not Mary but Bothwell; that in all probability Mary, as indicated in her version of the Craigmillar conference, was originally strongly opposed to the murder, and that she was to a considerable extent the victim of Bothwell's overmaster-

ing purpose. Deeply and irreparably as Darnley had wronged her, hateful as was the very thought of reunion to him, she declared that for her "own particular revenge" she would have been no party to the murder. Even as it was the despicable part she had to play—more than pity for Darnley—caused her the keenest anguish. "I will never rejoice," so she wrote, "to deceive any one that trusts me" [Would a forger have been at the pains to reveal this noble trait of character?]; "yet notwithstanding ye may command me in all things"; and again, "Now seeing to obey you, my dear love, I spare neither honour, conscience, hazard nor greatness whatsoever" [How closely the sentiment of this accords with another declaration of hers recorded by Kirkcaldy of Grange as to her readiness to follow Bothwell to the world's end!]; "take it, I pray you, in good part, and not after the interpretation of your false good brother, to whom I pray you give no credit against the most faithful lover that ever you had or

shall have." But while passionate love to Bothwell seems to have been what chiefly reconciled her to her odious task, there was also the overwhelming influence of other circumstances to incite and nerve her to its performance. Not only had Darnley by the rankness of his offence incurred her unquenchable hostility, but he had become an object of general hatred and contempt; he was now virtually a political pariah, and murderer as well as traitor, he had fully earned his death. Moreover, regard must be had to the genius and temper of the time. The wild justice of revenge had still a recognised place in the moral code of the Scottish noble, and the Darnley murder was only rendered possible by the laxity of prevailing opinion as to the sacredness of human life. Mary succumbed to that laxity of opinion in circumstances of peculiar difficulty and temptation, and while not the less was she responsible for the murder, it is impossible to believe that in their hearts any of those—except the Catholics

and Darnley's kinsmen—who afterwards took the most pronounced part against her, appreciably regretted his death. For us the chief abiding interest of the crime is in the light flashed by it on the schemes and intrigues of the rude and fierce society of the Scottish Court. It affords a vivid apocalypse of the passions, hates, and unscrupulous ambitions that mingled with nobler influences in effecting the triumph of Protestantism in Scotland.

XIX.

THE HIGHLAND CHIEF.

His office had a hoarier antiquity than that of kingship itself; he represented chieftaincy in almost its most antique form. Indeed if chieftaincy underwent a change after the break up of the larger tribes, the probability is that it was a change towards the earlier and simpler form. Also the attempt at feudalism was successful within but a very limited area of the Highlands, and even here the success was more apparent than real. The two systems could never properly commingle, for chieftaincy was independent of material considerations. Besides, most clansmen were simply hunters, or herds, or raiders, as their forefathers had been from

time immemorial. Their circumstances and surroundings seemed to defy change. Of the arts of civilised life they, less than two centuries ago, knew practically nothing. Their social system pointed backwards to primeval ages. To them the past alone was great; the future could be great only in so far as it resembled the past. The reverence with which the chief was regarded was neither official nor personal in the usual sense. The clansman honoured the dead more than the living, and the common ancestor above all his descendants. The chief was the representative of this common ancestor, and of an uninterrupted succession of ancestral chiefs whose achievements in war and whose prowess in the chase were the perpetual theme of the bardic songs and recitations which formed the true litany of the clan. The consideration which determined succession was nearness of relationship to the common ancestor. Hence the brother of the reigning chief was preferred to the son in the case of mental and physical fitness;

the elder son by concubinage or handfast marriage to the son of priestly marriage. Failing brothers or sons, the choice was limited to the *Geilfine*, or relations to the fifth degree. The successor was recognised during the chief's lifetime. That an interloper should usurp the office was almost beyond the bounds of possibility, for it was guarded as with a wall of fire, by sacred tradition; and that it could not be degraded by one unworthy or unfit was guaranteed by a privilege of veto vested in the elders of the clan. No young chieftain who had failed in the test of valour—generally the leadership of some desperate raid—was permitted to rank in the succession; and if, after attaining the dignity, he approved himself incompetent or tyrannical, he might be summarily removed.

The goodliness of the chieftain's heritage was truly remarkable. Does any worthier or more genuine sphere for ambition now exist? Probably no human being ever cherished a profounder sense of personal

dignity—undoubtedly a most important aid to happiness. Though rude might be his dwelling and squalid his surroundings, no monarch ever received such noble homage. "The ordinary Highlanders," wrote Burt, "esteem it the most sublime degree of virtue to love their chief," for indeed "he is their idol; and as they profess to know no king but him (I was going further), so will they say they ought to do whatever he commands without inquiry." In such circumstances the chief's duties, if he was worthy to fulfil them, could not fail to be pleasant and humanising. For the most part, also, he was untroubled of serious care, for his feuds with his neighbours and his raids on the Sassenach did but afford him a zest of excitement more exhilarating than that obtainable from the safer pleasures of the chase. As a rule, he had neither poverty nor riches, and his ambition was limited to providing for the necessities of his clan (the complete conquest of a neighbour was a very rare occurrence).

The small inconveniences incident to his ignorance of the modern amenities were undergone with unruffled stoicism; they were merely external and superficial. From a long line of ancestors inured to hardship and despising every form of excess, he inherited such a constitution as was almost a guarantee of perfect health; and when at last he went to join their company, the coronach sung by the women over his grave betokened eulogy and triumph even more than regret. The clansman's thoughts were concentrated as much on the dead as on the living; and by a more influential canonisation than that of the saints, the chief continued to live in the "songs, the conversation, the dreams and meditations" of succeeding generations.

The clan system of government was in its way an ideally perfect one—probably the only perfect one that has ever existed. Perhaps it was the very thoroughness of its adaptation to early needs

that made it so hard to adjust to new necessities. In its principles and motives it was essentially opposed to the bent of modern influences. Its appeal was to sentiment rather than to law or even reason: it was a system not of the letter but of the spirit. The clansman was not the subject—a term implying some sort of conquest—but the kinsman of his chief. The chief had no title to indicate "a distant superiority." He was simply the Macleod or Macpherson or Macshimei. But while the clansman cherished a keen sense of independence, and expected to be treated by his chief with friendly familiarity, the cold and degrading equality typified in the Parisian citizenship—child and parent of revolutions—would have had for him no charm. It was his peculiar pride to claim the relationship to a superior; and in itself the very thought of kinship was thus inspiring and ennobling. Obedience became rather a privilege than a task, and no possible bribery or menace could shake his

fidelity. Towards the Sassenach or the members of clans at feud with him he might act meanly, treacherously, and cruelly without check and without compunction, for there he recognised no moral obligations whatever. But as a clansman to his clan he was courteous, truthful, virtuous, benevolent, with notions of honour as punctilious as those of the ancient knight. Not only was the standard of public morality a high one, but it was impossible to evade or defy it. Most clans had a certain number of helots (descendants of captives), but pauper or criminal class there was none, for the crimes of the clansmen were committed only against his enemies, and it was by stealing from them that he relieved the stress of poverty. No code of laws—after all it may be a symptom of decay, and no proof of advance in the art of government—stood between him and the personality of his chief; and the chief's kindness, with the chief's justice and wisdom, begat a far warmer esteem for law and order than the

most admirable set of rules could ever have inspired.

The difficulties were that the clan system was efficient only within a narrow area; that it gave rise to interminable feuds; and that it was inapplicable to the circumstances created by the rise of modern industry and trade. But may it not be that it was abrogated all too lightly, or at least with too little anxiety to provide for it a proper substitute? At any rate, it realised (in some degree) an ideal which, according to Carlyle, "is the wish and prayer of all human" [political] "hearts, everywhere and at all times": "give me a leader; a true leader, not a false, sham leader; a true leader that he may guide me on the true way, that I may be loyal to him, that I may swear fealty to him, and follow him and feel that it is well with me." And that the political machinery of modern times is adequate to, or suitable for, the attainment of this ideal is as yet by no means clear.

XX.

EXECUTIONS.

In Scottish history — ecclesiastical or political—execution is a less distinctive feature than assassination. The roll of the assassinated is probably a more distinguished one than that of the legally executed, for it embraces several kings and regents, two Church dignitaries of the highest rank, and nobles too numerous to mention. Moreover, assassination acquired in Scotland a certain lustre from the rank of those who deigned to use it as a weapon of revenge; and as practised under these conditions it far transcends the rival method in pungency of interest. Other things being equal, the tragic ele-

ment in assassination greatly exceeds that associated with the stereotyped legal methods of terminating life. A peculiar fascination always attaches to the exhibition of the emotional side of human nature; and conventionalities being, in the case of assassination, cast aside, we have glimpses of character and personality which could not be otherwise obtained. Thus Scottish history is necessarily more edifying to the student of human life than to the pedantic constitutionalist. In English history—excepting as regards the earlier centuries—the position is reversed. We have the minute details and circumstances of several extraordinary plots, but the catastrophes are, on the whole, sadly disappointing. True, it will be difficult to find in Scottish annals any piece of political villainy so pitiful and so base as the murder of the princes in the Tower; but this is an exception—literally—that proves the rule. The very obscurity in which the crime is shrouded may in itself

be taken to indicate how alien was political murder to the English habit.

In Scotland assassination was practised for the most part brazenly and openly; no special odium appears to have attached to it; it was a matter rather for boasting than for shame. But even in the throes of revolution the English nation never lost her instinctive respect for law and order; and in the perpetration of her most notorious political murders she strove at least to travesty the traditional legal forms. It follows that for religious or political executions Scotland cannot compare for a moment to the Southern kingdom. The martyr-pyres on the Scores at St. Andrew's, or on the Edinburgh Calton Hill, do pale their ineffectual fires in the great blaze of Smithfield; and no spot on Scottish soil can boast of such a notable assemblage of the doomed as that which crowds on the memory at the mention of Tower Hill. For centuries in Scotland a certain number of nobles were nearly always at feud with

their sovereign; but they were treated rather as belligerents than as rebels, and it was rarely indeed that the extreme penalty of the law was exercised against them. Until the Reformation there are comparatively few deaths of notables at the instance of government or king; and some of them—as those of the sixth and eighth Earls of Douglas—may more fairly be placed in the category of assassinations. The case of Sir Robert Graham, however—the murderer of James I.—stands out conspicuous for all time by reason of the almost incredible cruelty of the tortures (by "hooked instruments of iron all glowing hot") with which he was done to death. It is a remarkable fact that the majority of political executions in Scotland, even after the Reformation, were traceable directly or indirectly to religious controversy. They date properly from the construction of the maiden by the Edinburgh magistrates in 1565. It may be that the need of the maiden was brought

home by the fact that the "auld heiding sword had failyet," and that the two-handed sword then bought of William Macartney was discovered to be inconvenient and unserviceable. Perhaps, too, so ingenious and consummate an instrument of death was deemed a fitting complement to the more complete judicial arrangements consequent on the erection of the Tolbooth a few years before. Anyhow, this same maiden — with the occasional substitution of a new blade— continued to figure as the presiding genius or familiar spirit of the High Street and the Tolbooth for the next hundred and fifty years, the scene of her operations being generally the Cross, but occasionally the Castle Hill (she appeared in the Grassmarket only once or twice), while the west gable of the Tolbooth became more and more hideous with the grisly trophies of her prowess. Those she caressed were not necessarily criminals of rank, nor even political criminals. In Scotland the

ancient custom of reserving the honour of death by decapitation for persons of birth and station had fallen somewhat into desuetude, though strangulation was still regarded as especially opprobrious. Decapitation by the maiden seems, however, to have been chiefly confined to criminals under sentence from the judges of the supreme courts, and for offences of peculiar heinousness—as murder, rape, and treason. None to whom this method of execution was deemed appropriate had been guilty of mere theft; and it must be remembered that while the maiden went on plying at the Cross, the hangman was also at work on the Borough Muir, and afterwards in the Grassmarket. Among the more distinguished of the maiden's victims were the Regent Morton, the Marquis of Argyll, the Earl of Argyll, the Marquis of Huntly and the Earl of Gowrie — all executed at the Cross. Morton had been sentenced to the more shameful death of strangulation, but the sentence was modi-

fied by the king. In two other conspicuous cases—those of the Great Marquis and Kirkcaldy of Grange—religious bigotry insured the substitution of strangulation for decapitation. Both were executed at the Cross; but the method practised on the criminals at the Borough Muir was deemed the more fitting reward of persons excommunicated by the Kirk. In Montrose's sentence it was specially mentioned that if at his death he was "penitent and relaxed from excommunication," the "trunk of his body" (his limbs were assigned conspicuous positions in the chief towns) was "to be interred by pioneers in the Greyfriars, otherwise to be interred in the Burrow Muir by the hangman's men under the gallows." The fashion of Kirkcaldy's death was no doubt determined by what was held the necessity of fulfilling a prophecy of good John Knox—that he should "be brought down over the walls of it" (the Castle) "with shame, and hung against the sun"; and, as a fact, he was "put off the

ladder" just after the sun, having passed the northwest corner of the steeple of St. Giles, began to gleam down upon the pitiable scene. "As he was hanging," records the devout Calderwood, "his face was sett towards the east; but within a prettie space, turned about to the west, against the sunne, and so remained; at which time Mr. David" [Lindsay] "marked him, when all supposed he was dead, to lift up his hands, which were bound before him, and to lay them down again softlie; which moved him with exclamation to glorify God."

It is a common error to suppose that Edinburgh has had but two chief places of execution, the Borough Muir and (later) the Grassmarket. Even the latest edition of *Chambers's Encyclopædia* compiled in this very High Street, within a stone's-throw of these centres of history, will have it that "at Edinburgh the place of execution was chiefly in the Grassmarket till 1784, when it was transferred to a plat-

form at the west end of the Tolbooth." This general forgetfulness of the original scene of the principal political executions is a doleful comment on the transiency of fame. The only political executions of importance associated with the Grass-market are those of certain leaders of the Covenanters—as Johnston of Warriston, Renwick, and others—all deemed only worthy of death by strangulation; but in the case of the Covenanters the extreme sentence was generally carried into execution immediately after capture, and in accordance with the regulations of martial law. The Jacobite risings swelled in no inconsiderable degree the roll of Scots political victims; but the trials of the rebels-in-chief were held in London, and the Scotsmen who fell under the axe were made to follow in the footsteps of More and Cromwell and Strafford and Laud and—like the Greys, the Dudleys, and the Howards—they looked their last upon the world from Tower Hill.

XXI.

THE LOCKMAN.

Lockman, Lokman, or Lockeman is the term — seemingly the soft and delicate adumbration—that Scotsmen were wont to employ to designate the executioner. Everywhere contempt and mockery rather than regard have been his portion; and that a people so accustomed to call a spade not only a spade but something worse should choose him an appellation so apparently colourless and inexpressive might fairly be termed a philological puzzle. Yet the mild signification has been sanctioned—perhaps originated—by Sir Walter himself. "Lockman," thus he has it, "so called from the small quantity of meal"

(Scotticé, "lock") "which he was entitled to take out of every boll exposed to market in the city. In Edinburgh the duty has been very long commuted; but in Dumfries the finisher of the law still exercises, or did lately exercise, his privilege, the quantity taken being regulated by a small iron ladle which he uses in the measurement of his perquisite." Now the facts on which Sir Walter's theory rests are indisputable; indeed, there is an abundance of evidence that throughout the Land o' Cakes the "lock" of meal was the hangman's perquisite from time at least anterior to the period when certain chalders of grain became the legal dues of the parish clergyman. But this by no means settles the question how to explain that the hangman's collection of his salary in kind should be recognised even in his official description—for lockman was the official as well as the popular style—as his most distinctive function, all seeming allusion to his specific duties being omitted. Superficially con-

sidered, the other derivation (originally sanctioned by Jamieson) from the better-known signification of the word "lock" as part of a door—the man who locks (*i.e.*, the "dubsman or turnkey")—appears more plausible; for no doubt the hangman and the gaoler were pretty often identical, the criminal being thus under charge of this grim representative of justice from the time that in the character of deempster (doomster) he pronounced the sentence of death against him, until his mortal remains were finally disposed of. But again there is the difficulty—how to explain the seemingly almost morbid tenderness of the Scot's regard for the hangman's susceptibilities, in thus dropping all allusion to the more odious aspects of his office. Be it remembered that the euphimism (if such it were) was accepted from time immemorial; so that you read in Blind Harry's "Wallace" that

> "The Lokmen than thei bur Wallace, but baid
> On till a place his martyrdom to tak'."

Indeed, it is by no means improbable

—so far as facts are known—that "lockman" was Scots for "executioner," when locks in Scotland were not specially associated with security, and sacks of grain in her market-places were scant and far between.

But what forbids the supposition that the epithet sets forth a grim allusion to locks of another kind? Locks more distinctively associated with the doomsman's function? —the locks, to wit, of the man or woman whose finisher he was? — the locks by which he grasped the head it was his to expose to the gaze of the gaping crowd? Such a derivation, be it observed, is in no wise made superfluous by the fact that a "lock," or small handful, of grain, was the official perquisite; nor does it stand in contradiction to the custom, nor in the least diminish its significance. On the contrary, it would explain (and this in striking accord with the sordid or brutal humour from which the Scottish vocabulary derives so much of its vigour) the

origin and signification of the old word "lock" in Scotland as a quantitative term. It was the quantity grasped by the executioner: that in any case, whatever else.

But let the derivation of the term be what it may, the custom referred to is proof enough that the lockman was very much in evidence. A superficial observer might leap to the conclusion that his emoluments were out of all proportion to his duties. Surely a handful of grain out of every boll in the market-place would mean more than a sufficient supply of food for himself and his family! And had he not also a livery, a free house, and a special allowance for his more important appearances as well? Plainly, therefore, for an official whose duties, albeit unenviable, were far from laborious (much less exhausting), such a salary would in frugal Scotland have been deemed inordinate. But in those elder and sterner years the lockman did by no means loll away his hours in the listless fashion of his modern analogue. His life was busy

as well as serious. His diocese, it is true, instead of as now embracing three kingdoms, was contained within the bounds of a single burgh; but in olden time most burghs were able to keep their lockman in constant occupation, while in the larger towns he was fain to delegate some part of his duties to subordinates. For one thing, the death sentence was attached to certain crimes now only visited with imprisonment (as theft and incest), or held deserving of no punishment at all—as adultery or attendance on the mass. Again, the final ceremony was much more complex and more prolonged than now. The criminal was not unaccustomed to address the crowd from the scaffold—occasionally he did so at great length; and when all was over, the body, in the case of strangulation, was commonly suspended for two or three hours before cutting down and decapitating, when it was customary for the hangman to continue his "watch and ward" on the scaffold till the performance of the final rites,

Hence the allusion of Dunbar in his "Flyting"—

> "Ay loungand lyk ane lockman on ane ledder
> Thy ghastly luke fleys* folkis that pass the by."

Nor did the lockman's responsibility cease with the public ceremony, for had he not to affix the several members of the more noted victims in conspicuous places, or sometimes to hang in chains the corse of the heinous malefactor to dangle and rustle in the wind till it became a creaking skeleton? And apart from his deathful duties he had plenty to do in the way of whipping, branding, and mutilation. Not only was it his to apply the severer tortures in cases of exceptional guilt, whether actual or only suspected; he had also a well-nigh unbroken round of daily toil upon the persons of the less heinous. Many of these were handed over to him for punishment by the Kirk authorities; and the Session Records sufficiently indicate how much his services were in request. Then

* Terrifies.

he was under obligation to carry out the summary sentences of magistrates by bearing the culprit to the cross and placing him in the jougs; the application of the pillory —with or without the delicate additions of pinching the nose, nailing the ears, or boring the tongue—usually communicated a spice of daily vivacity to the monotony of burgher life; the more momentous duty of ducking scolds and adultresses occupied much of his solicitude; and to have omitted the observance of scourging criminals through the streets would have robbed market days of their primest flavour of felicity. The "hangman's whip" had terrors more immediately effective than the "fear of hell," and perhaps it impressed the popular imagination more powerfully than either block or gallows. In fact, it was chiefly in the lockman that both Church and State reposed their trust for the maintenance of order and morality. None played so conspicuous a part in the public eye, and none discharged duties deemed more essen-

tial to the welfare of society. His present effacement may indicate a marked improvement in morality, or a great advance in civilisation, or the discovery that many of his methods were really mistaken and ineffectual; but it is perhaps the most striking symptom of change to be recorded in the social and ecclesiastical life of Scotland during the last two hundred years.

XXII.

THE UNION.

In Scotland the accession of James VI. to the English throne was matter for almost boundless satisfaction. Short of the actual conquest of her "auld enemy," nothing could have touched the nation's vanity to anything like such pleasant purpose. Apparently the problem of the relationship between the two countries had been finally solved, and solved (from a Scottish point of view) in a fashion preposterously felicitous; but it was not long ere the honour done the northern kingdom was discerned to be no more than merely nominal. Except in the rewards bestowed on a few needy courtiers, the real and solid advantages that might

have been expected to follow in its train were nowhere visible, while the drawbacks of the new connection were presently a matter of acute experience. Nominally the era of avowed hostility was closed, but the new departure proved as antagonistic to Scottish national interests as the ancient enmity itself. The mere transference of the Court from Edinburgh to London did not involve a great pecuniary loss; but the attention of the sovereign was now primarily occupied with the affairs of the wealthier and more powerful of his kingdoms, and the prosperity of the other became a matter of less vital concern to him. By retaining her legislature Scotland was supposed to retain her nationality, but it was the shadow without the substance, and the privilege was attended by evils as great as those of yore, with none of the old advantages and with no new ones to atone for their loss. Indeed there is no more striking fact in Scottish history than the miserable effect upon Scotland of the simple union of the crowns:

her condition was never more gloomy or more desperate than during the century or so that elapsed before the union of the parliaments.

The existence of a separate legislature practically nullified many of the good results anticipated from the advent of a Scots heir to the English throne. As matters turned out the most distinctive result of this arrangement was to foster jealousy between the two countries and to prevent that fusion of sentiment and interest essential to the common and complete welfare of both. In other circumstances, and in an ideal world, it might, could, would, should have been otherwise; but we are here concerned merely with actual facts, not with ideal possibilities. For a whole century—with the exception of eight years—after the union of the crowns, separate legislatures existed in Scotland and in England, and the effect upon the poorer kingdom seems to have been nothing less than disastrous. Only once in all the seventeenth century

did she enjoy a flicker of prosperity, and that was during the eight years of Cromwell's Protectorate, when—her legislative independence having been snatched from her by force—she was united to England on terms of Cromwell's own dictation. Under the Protectorate Scotland and England were treated in all respects as one, and immediately the immense advantages to Scotland began to be manifest. But Cromwell's rule was too brief to permit of more than the beginnings of prosperity; and at the Restoration she recovered her old independence, and with it all its previous drawbacks and detriments. By the English Navigation Act of 1662 she was debarred from all trade with the English colonies, and could only use her ships to bring goods to England not of Scottish growth or manufacture; she adopted similar regulations for herself; and trade between the two countries was further hampered by enactments made by each in her own supposed or apparent interests. The

wisdom of these enactments it is unnecessary to consider; it is enough to note that they were inevitable while the two countries remained separate, and that from their effects it was equally inevitable that Scotland should be the main if not the only sufferer. Not only did she fail to keep pace with the advance of England, but the close of the century found her even poorer than at the beginning. "Partly through our own fault," wrote Fletcher of Saltoun in 1698, "and partly by the removal of our king into another country, this nation, of all those who possess good ports and lie conveniently for trade and fishing, has been the only part of Europe which did not apply itself to commerce, and, possessing a barren country, in less than an age we are sunk to so low a condition as to be despised by all our neighbours, and made incapable to repel an injury if any should be offered." While England had been laying the foundations of her great colonial empire, and establishing centres of trade and commerce in well-

nigh every part of the habitable globe, the foreign trade of Scotland, never of any great importance, had gradually fallen almost to zero. Again, the insecurity of the Lowland districts previous to the union of the crowns had seriously hindered the growth of towns and the establishment of manufactures; in a large proportion of the population there had been fostered such a habit of rieving and plundering as made the prosecution of peaceful industries intolerably irksome, while the religious conflicts of the century were strong to distract and divert attention from commercial enterprise. Theoretically at least, by some of the sterner fanatics, the pursuit of riches was held positively sinful; to the injunction not "to love the world nor the things of the world" they pretended to give a rigid and literal interpretation. No doubt also the fines inflicted upon recusants, and the other hardships incident to the long period of Covenanting persecution, had contributed not inconsiderably to the general impoverishment;

but when, towards the close of the century, the nation began to turn from barren (certainly in a material, and it is to be feared also in a spiritual, sense) religious controversy to the promotion of trade and manufactures, some preachers did not fail to predict that for this preference of temporal to eternal interests the wrath of the Most High would sooner or later be made manifest in some signal judgment.

Latterly the nobles themselves were largely exposed to the stress of indigence. In ancient times their power and influence and consequent prosperity depended chiefly on the numbers of their followers, but with a greatly increased population and altered conditions of society this no longer held good. The poverty which for some generations had preyed upon the general community now began to attack them in turn. Not only were the majority of them unable to do anything to promote agricultural or commercial enterprise, but in London some of them sank so low as hell-keeping and

other shifts no whit more reputable. The younger sons of the gentry, finding no sphere for their ambition at home, hired themselves out as mercenaries; but the fortune they won by arms was commonly no greater than that of Rittmaster Dalgetty; and, if at all, it was only negatively that they assisted to relieve the desperate poverty by which their country was prostrated. By the end of the century she had reached a stage of collapse from which unaided it was impossible to rally. Her only manufacture of any particular importance was linen, and its extension was seriously hampered by the English trade restrictions. Other manufactures—as glass, soap, paper, and wool—had been introduced of late, but their progress was preposterously slow. In the conveniences and comforts of civilised life she was miserably behind the rest of Europe. Her commerce with her sister-nations had utterly failed to keep pace with the growth of her population, so that in 1656 her fleet consisted of no more than

137 barques and brigantines, of 5,736 tons —about a three-hundredth part of her present tonnage. Scientific agriculture was yet unknown to her, and for some centuries her agricultural resources had remained incapable of expansion. From a combination of causes she was burdened with a surplus population over a hundred thousand strong, who followed no occupation and subsisted upon alms as often bestowed upon compulsion as from benevolence. She had missed her golden opportunity of colonising and of commerce; she had been thrown back upon her barren soil and her limited acreage; she had ceased to possess within herself the means of extrication from the state of grinding poverty to which she was reduced. Her desperate circumstances were the more galling in contrast to that magnificent career of adventure and prosperity upon which her rival had entered. That in 1696 she should have embarked with feverish eagerness upon an enterprise so transparently foolish as the

Darien Expedition can only be explained by the fact that she grasped at this delusive opportunity as her only hope. Rendered desperate by her pitiable plight and by jealousy of England, she staked her whole fortune on this cast of the dice; and the result was such as made union with England inevitable.

If the Darien Expedition had turned out even a partial success, the chances are that the union would have been indefinitely deferred. But even had the scheme been really rational and wise, the country had no sufficient resources within herself to secure its adequate success. To recover herself unaided after so long a period of extreme hardship was practically impossible. Rivalry with England must have severely hampered her commercial enterprise; and the sister kingdom had got such a start in the race that competition was vain. The demonstration of this was the priceless practical lesson enforced by the Darien disaster. The conviction was imposed upon thought-

ful Scotsmen that the achievement of prosperity lay not in the discovering of El Dorados, but in being admitted to an equal share in the trading chances of England. This was the chief inducement to union, and the Scottish Commissioners demanded as an essential condition "the mutual communication of trade and other privileges and advantages." There was a certain naïve assurance in this way of putting the case: it was clear to all men that for some time at least the reciprocity must necessarily be all on one side, for though England might not lose—of course she was largely the gainer—by the proposed arrangement, her new partner would at least for many years have much the best of this part of the bargain. Her hope of profit from trade alliance with such an insolvent associate must have been of the slightest, while in Scotland's case the alliance meant practical salvation. In both cases the good results far exceeded expectation. England looked for little, and has profited much; Scotland was reconciled to

the experiment chiefly by ambition to share in England's prosperity; and the minor commercial sacrifices made to attain her purpose were soon discovered to be as nothing compared with the benefits that accrued. Hence the lively and lasting contentment in the union which—after one or two spasms of jealousy—gradually possessed the Scottish nation: a contentment scarce broken by so much as a murmur of regret till recent times. Of course the prosperity conferred by the union was somewhat slow in growth. Commercial vitality had sunk to so low a point that the development of some symptoms of returning health was of necessity a matter of years. The earliest indication of a decided change for the better was the establishment of the shipping trade of Glasgow and the Clyde with America and the West Indies. Its advance was wonderfully rapid, and one immediate result was the institution of certain manufactures in several western villages, which were soon transformed into

populous and thriving towns. This indeed was the first manifestation of that marvellous industrial energy which has made Glasgow and the west one of the great trading centres of the world. The western capital began to "flourish" to far better purpose by her West Indian connection than she had ever done "through the preaching of the Word" during the years when visionary Covenanters "bore the gree" as the ecclesiastical successors of St. Mungo. The effect of the union on the eastern towns and seaports—which were much less conveniently placed for commercial intercourse with the English colonies and dependencies—was naturally much less instant and extraordinary. But throughout Scotland—even in those districts not directly benefited by the establishment of manufactures—the iron grip of poverty resulting from a surplus population was soon relaxed. Alike by the attention they engrossed, the waste of resources they entailed, and the sense of insecurity they left behind, the distractions of the '15 and

the '45 were serious hindrances to enterprise; but after the reduction of the Highlands it was perceived that progress and prosperity were really paramount all over the land.

For some time after the union much of the Scottish trade was carried on in English vessels, for the simple reason that Scotland had neither ships of her own nor money wherewith to build them. The first Scots trader that crossed the Atlantic was launched on the Clyde as late as 1718; and forty-two years after, the national tonnage, which in 1712 is stated to have been only 10,046, had increased to 53,913, which was more than trebled before the end of the century. At the union the linen (the staple manufacture until the introduction of cotton) made for sale did not exceed 1,500,000 yards; but in 1727 it was 2,183,978 yards, in 1735 it was over 4,500,000 yards, in 1760 it was over 10,000,000 yards. Before the union the Bank of Scotland, founded in 1695, was the only one in the country, and

its existence even was a symptom rather of national poverty than of national affluence —its chief business being the lending of money on heritable bonds. An attempt to widen the scope and improve the quality of its operations by the establishment of branches at Glasgow, Montrose, Dundee, and Aberdeen turned out a complete failure, the parent institution soon finding it impossible to maintain them; but after the union the banking business began gradually to show unmistakable signs of expansion, the Royal Bank being established in 1727, the British Linen Company in 1746, the Aberdeen Bank in 1749, with two more at Glasgow in 1749 and 1750. As for agriculture, the union was the signal for the publication of treatise after treatise upon husbandry and kindred topics, and for the foundation (1723) at Edinburgh of the Society of Improvers; while towards the latter half of the century many Scots merchants came home from the West Indies with large fortunes, and, according to Dr.

Somerville, invested these in the purchase of estates, where they further turned their capital to account in stimulating agricultural improvement. Of course it is true that the progress in industrial and commercial enterprise during the years immediately following the union is not to be compared to the extraordinary advance effected by the introduction of machinery towards the end of the century, when, also, was discovered a source of wealth beyond the dreams of avarice in the immense supplies of coal and iron lost until then in Scottish ground. But at the time of the union all that was a century away, and how without the union, and the consequent relief conferred by admittance to equality in trade with England, could Scotland have tided over that century? All things come round to him that can wait; but could Scotland have waited? The attempt it is clear would have entailed an ordeal of hardship and misery almost too terrible to contemplate. This at least she in great part escaped by the union, and it

seems equally clear that but for the English connection her industrial effort, even after the introduction of machinery, would have been badly hampered. Indeed it is difficult to understand what stimulus she would have had to mechanical invention while debarred from all trade communication with English colonies and dependencies. Throughout her history she has owed much to the strength of her own right arm, much to the perseverance and hardihood developed by her long struggle with poverty and England. Since the union the richer and stronger nation has also gained in many ways by its partnership with its neighbour's enterprise and skill; but yet in the later accompt between the two the gods have so willed that the balance of benefit is immensely in Scotland's favour.

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